URBAN/MUNICIPAL
CA4 ON HBL A05
A31 1992-

JAN/14/92 -
Feb/25/92

Agenda / Minutes of the Meetings of the Council of Hamilton

CA4 ON HBL A05 A31 1992-
URBAN/MUNICIPAL

J. J. SCHATZ
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

PHONE (416) 546-2700
FAX (416) 546-2095

OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, January 14, 1992
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL
JAN 13 1992
GOVERNMENT DOCUMENTS

AGENDA

1. Opening Prayer

Reverend Desmond Fleming
St. Stephen on the Mount

2. Presentation

1991 Ontario Juvenile Golf Championship Civic Award - Mitch Mahoney

3. Proclamations

(a) Jaycee Week - January 20 to January 26, 1992

(b) National Non-Smoking Week - January 20 to January 26, 1992

(c) Day of the Artist - January 17, 1992

4. Declaration of Appointed Office

Mr. J. J. Schatz, City Clerk

5. **Minutes**

(a) October 29, 1991
(b) December 6, 1991
(c) December 10, 1991

6. **Petitions and Correspondence**

7. **Reports of the Standing Committees**

(a) Transport and Environment Committee

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(e) Licensing Committee

(h) Finance and Administration Committee

8. **Notices of Motion for Next Meeting**

9. **First Reading of the Bills**

10. **Second Reading of the Bills - Committee of the Whole**

11. **Third Reading of the Bills**

12. **Question Period**

13. **Adjournment**

MINUTES


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Hamilton City Council
October 29, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Mayor Morrow called the meeting to order.

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Reverend Brant Loper, Binkley United Church led the Council in prayer.

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Mayor Morrow presented a Certificate of Recognition to Don Eperson who has made an outstanding contribution to our community.

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The Mayor proclaimed the following:

Celebration of Horticultural - Mum Show November 2 to November 17, 1991

Diabetes Month, November, 1991

Kiwanis Week - November 3 to November 9, 1991.

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Correspondence:

1. Resolution dated October 15, 1991 from the Corporation of The Town of Markham respecting Private Member's Bill Introduced in the Legislature with respect to Balanced Budgets.

Referred to the Finance and Administration Committee.

2. Letter of Withdrawl regarding Zoning Application from Wilma Faille, Hamilton, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 53 Birchwood Drive, Hamilton, Ontario.

Received.

3. Application dated October 9, 1991 from Leo Cascioli, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 29 Severn Street, Hamilton, Ontario.

Received.

4. Application dated October 10, 1991 from R. V. Kemp, (In Trust), Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 146 Mount Albion Road, Hamilton, Ontario.

Received.

5. Application dated October 21, 1991 from Maurice C. Carter Holdings Ltd., Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E-3" (High Density Multiple Dwellings) District, modified for lands located within the block bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North, Hamilton, Ontario.

Received.

6. Application dated October 23, 1991 from Truwan Holdings Limited, Hamilton, Ontario for a change in zoning from "Lmr-1" (Planned Development - Multiple Residential) District to "G-3" (Public Parking Lots) District for 2444, 2450 Barton Street East and 211 Centennial Parkway.

Received.

7. Application dated October 23, 1991 from Robert Shelley Construction Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for lands in the area north of Rockview Avenue west of the proposed extension of Crerar Drive.

Received.

8. Application dated October 23, 1991 from Canadian Japanese Cultural Centre at Onteora, Hamilton, Ontario for a modification to the "M-14" (Prestige Industrial) District for 95 Unsworth Drive, Hamilton, Ontario.

Received.

9. Application dated October 23, 1991 from St. Lawrence Cement Inc., Hamilton, Ontario for a further modification to the "M-15" (Prestige Industrial) District for 475 Nebo Road, Hamilton, Ontario.

Received.

10. Resolution dated September 24, 1991 from the City of Stoney Creek re: Sale and rental of adult and triple X-rated videos.

Referred to the Finance and Administration Committee.

11. Letter dated October 28, 1991 from K. E. Avery, City Clerk advising of an objection to By-law 91-174 respecting property at 987 Upper Paradise Road, Hamilton.

Received.

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee, with Alderman Cooke in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

NAYS: -0. **CARRIED.**

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TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT

Section 5 Re: Policy - Sewer disruptions caused by municipal tree roots

It was moved by Alderman Gallagher and seconded by Alderman Merling that Section 5 of the Fifteenth Report of the Transport and Environment Committee for 1991 be amended by adding the following :

"That this resolution be referred to Hamilton-Wentworth Regional Council"

CARRIED.

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Section 19 Re: Advisory Committee to deal with issues regarding pedestrian safety.

It was moved by Alderman Merling and seconded by Alderman Cooke that Section 19 of the Fifteenth Report of the Transport and Environment Committee be amended by deleting subsection (c) in its entirety and replacing it with the following:

"19 (c) That Regional staff be invited to sit on the Pedestrian Advisory Sub-Committee."

CARRIED.

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Section 20 Re: Incorporation of City lands into various streets

It was moved by Alderman Merling and seconded by Alderman Murray that Section 20 of the Fifteenth Report of the Transport and Environment Committee be amended by adding sub-section (e), (f), (g), (h), (i), (j), and (k) as follows:

"20.	(e)	Bill A-74	A By-law to incorporate Block 7, Plan M62M-656 into Westlawn Drive
	(f)	Bill A-75	A By-law to incorporate Parts 18 and 20, Plan 62R-11096 into Acadia Drive
	(g)	Bill A-76	A By-law to incorporate Parts 12 & 13, Plan 62R-8380 and Part 4, Plan 62R-9499 into Highridge Drive
	(h)	Bill A-77	A By-law to incorporate Part 11, Plan 62R-8380 (Excepting Part 1, Plan 62R-11902) into Donn Avenue
	(i)	Bill A-78	A By-law to incorporate Part 2, Plan 62R-7591 into Hillview Avenue
	(j)	Bill A-79	A By-law to incorporate Part 1, Plan 62R-6837 and Parts 1 and 2, Plan 62R-9905 into Centennial Parkway
	(k)	Bill A-80	A By-law to incorporate Parts 14 and 15, Plan 62R-6964 into Chester Avenue

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Section 21 Re: Parking Regulation on Bond Street

It was moved by Alderman Merling and seconded by Alderman Cooke that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding an alternate side parking regulation on Bond Street between King and Marion Street. **CARRIED.**

It was moved by Alderman Merling and seconded by Alderman Cooke that section 21 be added to the Fifteenth Report of the Transport and Environment Committee as follows

21. (a) That an alternate side parking regulation be implemented on Bond Street between King Street and Marion Street such that parking is prohibited on the east side during the winter months;

(b) That City Traffic By-law 89-72 be amended accordingly. **CARRIED.**

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Section 22 Re: By-law to incorporate lands into various streets

It was moved by Alderman Merling and seconded by Alderman Murray that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution to incorporate certain City lands into various streets by By-law.

CARRIED.

It was moved by Alderman Merling and seconded by Alderman Murray that Section 22 be added to the FIFTEENTH Report of the Transport and Environment Committee as follows:

"22. (a) That the following City lands be incorporated into the various streets as noted below:

Westlawn Drive	- Blk, 7, Plan 62M-656
Acadia Drive	- Parts 18 & 20, Plan 62R-11096
Highridge Avenue	- Parts 12 & 13, Plan 62R-8380, and
	- Part 4, Plan 62R-9499
Donn Avenue	- Part 11, Plan 62R-8380
Hillview Avenue	- Part 2, Plan 62R-7591
Centennial Parkway	- Part 1, Plan 62R-6837, and
	- Parts 1 & 2, Plan 62R-9905
Chester Avenue	- Parts 14 & 15, Plan 62R-6964

(b) That the appropriate by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.

(c) That the Commissioner of Transportation Environmental Services be authorized and directed to register the by-laws."

CARRIED.

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PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT

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PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

Section 12 Re: Abolishment of Jamesville Business Improvement Area

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 16.

NAYS: Alderman McCulloch. -1. **CARRIED.**

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LICENSING COMMITTEE - EIGHTH REPORT

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FINANCE AND ADMINISTRATION COMMITTEE - NINETEENTH REPORT

Section 26 Re: Hamilton Municipal Employees' Credit Union Ltd. Lease - 50 Jackson St. W

It was moved by Alderman Hinkley and seconded by Alderman Drury that Section 26 of the Nineteenth Report of the Finance and Administration Committee be amended to add clause (d) as follows:

(d) That the foregoing lease renewal terms be approved conditional upon the concurrence of the Football Hall of Fame Management Committee.

CARRIED.

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Section 32 Re: $50,000 grant to Hamilton Spectator Indoor Games

Recorded vote:

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Ross. -13.

NAYS: Aldermen Hinkley, Copps. -2. **CARRIED.**

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Section 33 (a) Re: Grant to Y.M.C.A. - Halloween Run

Alderman D. Ross declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Ross is on the Board of Directors of the Y.M.C.A.

Section 33 (a)

It was moved by Alderman Merling and seconded by Alderman Murray that subsection (a) and (b) of Section 33 of the Nineteenth Report of the Finance and Administration Committee be amended by deleting the grant figures $2,000. and substituting in lieu thereof the figures $3,000. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills be now read a first time:

A-69, A-70, A-71, A-72, A-74, A-75, A-76, A-77, A-78, A-79, A-80.

C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-47, H-48.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-69, A-70, A-71, A-72, A-74, A-75, A-76, A-77, A-78, A-79, A-80.

C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-47, H-48.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross. -16.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-69, A-70, A-71, A-72, A-74, A-75, A-76, A-77, A-78, A-79, A-80.

C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-47, H-48.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-69, A-70, A-71, A-72, A-74, A-75, A-76, A-77, A-78, A-79, A-80.

C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-47, H-48.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:15 o'clock p.m.

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Inaugural Meeting of Hamilton City Council
December 6, 1991
7:20 o'clock p.m.
Council Chamber, City Hall

Council met pursuant to Statute.

Present: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Mr. K. E. Avery, City Clerk read the following certificate of the results of the Municipal Election:

To the Council of The Corporation of the City of Hamilton.

Members of Council.

I, KEITH E. AVERY, Clerk of the City of Hamilton, do hereby certify that on the 12th day of November, 1991, the following named were elected members of the City Council by a majority of votes:

MAYOR:		Bob Morrow
ALDERMEN:	Ward 1	Terry Cooke
		Mary Kiss
	Ward 2	Vince Agro
		Bill McCulloch
	Ward 3	Don Drury
		Bernie Morelli

Ward 4	Gerry Copps Dave Wilson
Ward 5	Dominic Agostino Fred Eisenberger
Ward 6	Tom Jackson Bob Charters
Ward 7	Henry Merling Terry Anderson
Ward 8	Don Ross Frank D'Amico

K. E. Avery
City Clerk

His Worship Mayor Robert M. Morrow subscribed to the Declaration of Office and the Oath of Allegiance before His Honour Judge Sullivan followed by the Aldermen.

Reverend Constantine Marinos, St. Demetrios Greek Church led the Council in prayer.

It was moved by Alderman Cooke and seconded by Alderman Wilson that Council move into Committee of the Whole to consider the First Report of the Nominating Committee with Mayor Morrow in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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FIRST REPORT OF THE NOMINATING COMMITTEE

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It was moved by Alderman Cooke and seconded by Alderman Wilson that the Report of the Committee of the Whole on the First Report of the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Wilson that Bill H-1 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Wilson that Council move into Committee of the Whole to consider Bill H-1, with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Wilson that the Report of the Committee of the Whole on Bill H-1, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Wilson that Bill H-1 be now read a third time, signed, sealed and enrolled as a By-law

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:30 o'clock p.m.

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Hamilton City Council
December 10, 1991
8:20 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson,Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico.

Absent: Mayor Morrow
Alderman Agro
Alderman McCulloch
Alderman Merling

Note: The above members of City Council were present for the Committee of the Whole meeting from 5:30 p.m. to 8:15 p.m. and were absent for the formal meeting of City Council due to prior commitments.

It was moved by Alderman Ross and seconded by Alderman Agostino that Council move into Committee of the Whole to consider the First Report of the City Council Committee of the Whole, with Alderman Cooke in the chair.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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FIRST REPORT OF THE COMMITTEE OF THE WHOLE

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It was moved by Alderman Ross and seconded by Alderman Agostino that Alderman V. Agro be appointed Acting Mayor for the month of December, 1991 and that Alderman Wm. McCulloch be appointed Acting Mayor for the month of January, 1992. **CARRIED.**

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It was moved by Alderman Ross and seconded by Alderman Agostino that the Report of the Committee of the Whole on the First Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Ross and seconded by Alderman Agostino that the following Bills be now read a first time:

C-1, C-2.
H-2, H-3, H-4, H-5, H-6, H-7.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Ross and seconded by Alderman Agostino that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

C-1, C-2.
H-2, H-3, H-4, H-5, H-6, H-7.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Ross and seconded by Alderman Agostino that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-1, C-2.
H-2, H-3, H-4, H-5, H-6, H-7.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Ross and seconded by Alderman Agostino that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-1, C-2.
H-2, H-3, H-4, H-5, H-6, H-7.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:30 o'clock p.m.

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CORRESPONDENCE

Correspondence:

1. Letter dated 1991, December 30, from Grant Inouye respecting removal of name from taxi plate priority list.

Recommendation: **Be Referred to the City of Hamilton Licensing Committee.**

2. Letter dated 1992, January 7, from Craig Chudyk re: taxi cab priority list.

Recommendation: **Be Received.**

3. Letter dated 1991, November 19, from the Hamilton Harbour Commissioners re: S. McNally and Sons Limited, -v- Her Majesty the Queen.

Recommendation: **Be Referred to the Planning and Development Committee.**

4. Resolution dated 1991, October 18, from Township of Limerik respecting the Ministry of Environment to amend the Environmental Protect Act, Part VII, Section 67(1) regarding including some measure of inspection, and correction if necessary, of those systems that were installed before the 15th day of April, 1974.

Recommendation: **Be Referred to the Transport and Environment Committee.**

5. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-176 regarding Property and Lands Located at 122-126 MacNab Street South and Nos. 109, 111 and 123 Charles Street, Hamilton, Ontario. (previously distributed)

Recommendation: **Be Received.**

6. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-206 regarding Property at Lands Located at the Southwest Corner of Upper Sherman Avenue and Limeridge Road East, Hamilton, Ontario (previously distributed)

Recommendation: **Be Received.**

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7. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-207 regarding Property at Lands Located on the West Side of Rice Avenue, South of Chedmac Drive, Hamilton, Ontario. (previously distributed)

Recommendation: **Be Received.**

8. Letter dated 1992, January 9, from Mr. J. J. Schatz, City Clerk respecting an objection to By-law 92-002 regarding property at 126 Lilacside Drive, Hamilton, Ontario. (previously distributed)

Recommendation: **Be Received.**

9. Letter dated 1992, January 9, from Mr. J. J. Schatz, City Clerk respecting objections to By-law 92-003 regarding property at 1341 Upper James Street, Hamilton, Ontario. (previously distributed)

Recommendation: **Be Received.**

10. Application dated 1991, October 28, from J. Beume Real Estate Ltd, Toronto, Ontario for a change in zoning from "Lmr-2" (Planned Development - Multiple Residential) (District to "H" (Community Shopping and Commercial, etc.) District modified for 121 Augusta Street, Hamilton, Ontario.

Recommendation: **Be Received.**

11. Application dated 1991, October 28, from West Highland Baptist Church, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District for 1605 Garth Street, Hamilton, Ontario.

Recommendation: **Be Received.**

12. Application dated 1991, October 30, from 467052 Ontario Limited, c/o Tim Donut Limited, Oakville, Ontario for a change in zoning from "D" (Urban Protected Residential One and Two Family Townhouses, etc.) District and "H" (Community Shopping and Commercial, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 261 Wellington Street North and 263 Wellington Street North, Hamilton, Ontario.

Recommendation: **Be Received.**

13. Application dated 1991, October 30, from Agommen Ltd, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "DE-3" (Multiple Dwellings) District for 165 Burton Street, Hamilton, Ontario

Recommendation: **Be Received.**

14. Application dated 1991, October 30, from Aurelia Paul, Greg Paul and Sharon Paquette for a modification to the "C" (Urban Protected Residential, etc.) District for 300 East 34th Street, Hamilton, Ontario.

Recommendation: **Be Received.**

15. Application dated 1991, November 5, from Ernie Schoenholz and Tom Schoenholz, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc. District for No. 719 Knox Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

16. Application dated 1991, November 8, from The Barn Fruit Markets Inc. Hamilton, Ontario for a modification to the "JJ" (Restricted Light Industrial) District for property at No. 2371 Barton Street East, Hamilton, Ontario.

Recommendation: **Be Received.**

17. Application dated 1991, November 22, from Benemar Construction Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for land in the area south of Rymal Road East and west of the proposed extension of Upper Wentworth Street, Hamilton, Ontario.

Recommendation: **Be Received.**

18. Application dated 1991, November 22, from Sylvia Tofano, Millgrove, Ontario for a change in zoning from "DE-2" (Multiple Dwellings) District to "Commercial" for property at No. 809 Main Street East, Hamilton, Ontario.

Recommendation: **Be Received.**

19. Application dated 1991, November 26, from Lily Trieu, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 22 Greig Street, Hamilton, Ontario.

Recommendation: **Be Received.**

20. Application dated 1991, December 3, from 200 Rymal Road Inc. c/o John A. Parente, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District for 200 Rymal Road East, Hamilton, Ontario.

Recommendation: **Be Received.**

21. Application dated 1991, December 3, from A B D Technology Inc., Hamilton, Ontario for a modification to the "M-14" (Prestige Industrial) District for 55 Lancing Drive, Hamilton, Ontario.

Recommendation: **Be Received.**

22. Application dated 1991, December 3, from Artaban Non-Profit Homes Inc., Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District modified for 322-330 Charlton Avenue West, Hamilton, Ontario.

Recommendation: **Be Received.**

23. Application dated 1991, December 3, from Angelo Salciccioli, Stoney Creek, Ontario for a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District for 1067 Rymal Road East, Hamilton, Ontario.

Recommendation: **Be Received.**

24. Application dated 1991, December 6, from Vladimir Baotic, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District for 314-318 Queenston Road, Hamilton, Ontario.

Recommendation: **Be Received.**

25. Application dated 1991, December 11, from Joyce Maria Carnicelli and Carriage Gate Homes Ltd., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for 1406 and 1418 Upper Sherman Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

26. Application dated 1991, December 11, from Domenico DeRosa, Stoney Creek, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 547 Wilson Street, Hamilton, Ontario.

Recommendation: **Be Received.**

27. Application dated 1991, December 11, from Brusan Development Corporation, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 655 Rymal Road West, Hamilton, Ontario.

Recommendation: **Be Received.**

28. Application dated 1991, December 12, from Vittorio Ciardullo, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 66 Alderson Drive, Hamilton, Ontario.

Recommendation: **Be Received.**

29. Application dated 1991, December 17, from 959945 Ontario Limited c.o.b. White Rose Centre for removal of the "H" symbol for land at Nos. 1400 - 1416, Hamilton, Ontario.

Recommendation: **Be Received.**

30. Application dated 1991, December 30, from Josep Kozar, Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for part of the property at No. 1605 Main Street East, Hamilton, Ontario.

Recommendation: **Be Received.**

31. Application dated 1992, January 7, from Tyka Investments Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to RT-30" (Street Townhouses) and "R-4" (Small Lot Single-Family Detached) District for 1158 Upper Wentworth Street, Hamilton, Ontario.

Recommendation: **Be Received.**

1.

December 30, 1991

81 Charlton Ave E
Apt 12
Hamilton Ont
L8N 1Y7

JAN 2 1992

Attention: Members of Council and Mayor of the City of Hamilton

Dear Madames and Gentlemen:

I wish to dispute the decision to remove my name from the taxi plate priority list as a result of the hearing held on Wednesday Dec 11.

Prior to the hearing, false information was conveyed by an official in the licensing department, Helen Mathon. She told me that notices of a tie for the priority list were not sent by registered mail. Subsequently, at the hearing, an official in the taxi inspection department read from a prepared statement that the notices were indeed sent by registered mail.

On my case was premised on Helen Mathon's information I request another hearing to rectify the inaccuracies

Sincerely
Brent Savage

copy to members of Council and Mayor

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2.

RECEIVED
JAN 08 1992
CITY CLERKS

JAN 7 /92

TO: Mayor Bob Morrow
K.E. Avery (City Clerk)
J.J. Schatz (Deputy City Clerk)

From: C. Chudyk

I'am writing this letter regarding the decision that was made by the committee on my statis of the taxi cab priority list.Let me give you some background regarding my situation. I DIDNOT receive the courtesy reminder of payment letter until the first week of November. The payment of $ 53.00 was suppose to be paid before Sept. 30 1991. I sent my cheque which was returned with a letter stating that my name was going to be removed from the priority list because of timing. I called the city clerks office and they explained the appeal process. I met with the council and they decided that my reason for being late was not sufficient. In their letter they site that they send out the reminder as a courtesy and "I simple forgot to renew",also I was aware of this because I paid last years. Their agruements are somewhat distorted. Firstly, the so called courtesy letter that was sent out is a invoice of payment. By definition according to the Oxford Dictionary "Invoice ; list of goods or services supplied with PRICE.An invoice is subjected to rate increases or decreases. Using the logic of the council because I did not receive an invoice I would have assumed the city reverted the fee back to a zero payment fee . Last years price was $ 50.00, this years price was $ 53.00 .Without receiving the invoice I still would have been removed from the list due to lack of sufficient payment. I only found out after I contacted a Mr. D Barrows at the clerks office that the invoice is considered as a courtesy . Please be aware that during this period in time a mail strike was going on.Is it not possible that a letter could get lost in the mail ? During this time do you not think that registers letters should have been sent out to insure the people receive their invoice on time. The licencing division insured me that they mailed out the invoice on time and I simply forgot it, maybe they simply forgot or misplaced it. I had requested a copy of the registered letter that was apparently sent out twice in 1989 .The first one had errors or emmission according to the clerks office .That was 2 weeks ago and since I only have till Jan. 14 1992 to get you this letter I'am unable to supply you with a copy .Once again I want to thank the speedy response of the clerks office or our mail system. I did talk to Mr.Steve Dembe regarding this situation and I enjoyed his response ," you don't have a snow balls chance in hell unless you secure legal council." Spoken like a true representative of the people.

On the issue that I was aware that I had to pay before I received an invoice because I paid last years. Last year I received the invoice.I paid it because I got it , very simple. Out of approximately 315 people who finally paid their bill somewhere around 70 people paid their invoice before they were sent out.If the other people did not receive their invoices there

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would be another 245 people in the same situation that I 'am in. There are probably people out there who don't even know that they have been wrongfully treated because of the poor handling of this billing.

The last issue which concerns me was how the committee dwelled on how I'am not presently driving cab , that I 'am not a resident of Hamilton or that I still have 8 to 10 years before my name will come up for a license. Let me insure to you that I was born and raised in Hamilton and I still pay land taxes in the city. I don't expect anything more than anyone else just the same considerate and options that are extended to the other people. looking at fincially , If I pay for the next 10 years the city and the industry wins because the extra revenues .

Gentlemen ,I realize that some points of issue are ludicrous and ridiculous but so is this hole thing . Please put your self in my situation .I have been on this list for a long time .This payment situation is relativity new to the system and through no fault of my own I find myself losing my position on the list . Look at the time and money it costs the city and myself to debate this issue . I would appreciate if my name is restored to my active position. Thanks for the consideration .



Regards Craig Chuddyk

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

1991 December 17

Mr. Craig Chudyk
135 Central Drive
Ancaster, Ontario
L9G 2A3

Dear Mr. Chudyk:

Re: Taxicab Priority List Appeal

Please be advised that Hamilton City Council, at its meeting to be held on 1992 January 14, will be dealing with the following recommendation from the City of Hamilton Licensing Committee:

(1) "That the appeal by Craig Chudyk, 135 Central Drive, Ancaster to remain on the Taxicab Priority List be denied.

(2) Mr. Chudyk appeared before the City of Hamilton Licensing Committee on 1991 December 11 and submitted that he failed to renew his name on the Taxicab Priority List by the 1991 September 30 deadline because his courtesy reminder letter had been delayed in the mail.

(3) The Committee considered Mr. Chudyk's appeal and noted that the reminder letter was sent as a courtesy only and that it was the applicant's responsibility to renew his name on the list as provided for in the By-law 89-249. It was also noted that Mr. Chudyk had renewed his name on the list within the required time period and paid the fee in the previous year.

(4) The Licensing Committee concluded that the applicant had knowledge of the date for renewal on the Taxicab Priority List and simply forgot to renew. The Committee did not consider Mr. Chudyk's submission to be adequate justification to remain on the Taxicab Priority List and therefore made the foregoing recommendation."

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This letter is to advise you of the Committee's recommendation before such time as it is considered by Hamilton City Council.

Yours truly

Stella Glover

Stella Glover
Secretary
City of Hamilton Licensing Committee

cc: Ald. T. Cooke, Chair, City of Hamilton Licensing Committee
Mr. S. Dembe, Licence Division Manager
Mr. R. Sabo, Law Department
Mr. D. Rose, Licence Inspector
File

3.

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Hamilton 525-4330
Toronto 1-800-263-2131
Telex 061-8638

Fax Numbers
Administration 528-6282
Terminal 525-7258

The Hamilton Harbour Commissioners

November 19, 1991

RECEIVED
NOV 20 1991
CITY CLERKS

Public Works Canada,
Commercial Harbours,
Ontario Region,
4900 Yonge Street,
WILLOWDALE, Ontario
M2N 6A6.

Attention: Peter J. Does, P. Eng.
Project Manager,
Toronto/Muskoka Region.

Dear Sir,

RE: S. MCNALLY & SONS LIMITED -V- HER MAJESTY THE QUEEN,
COURT FILE NO. T-970-91

Further to the August 1, 1991, meeting held at The Hamilton Harbour Commissioners' offices respecting the above noted matter, you will recall that the representatives of the five (5) original funding partners agreed to approach their respective principals with requests for proportionate contributions towards the establishment of a $150,000.00 defence fund.

These requests were formalized by letters dated August 13, 1991 (copy attached) signed by The Hamilton Harbour Commissioners on behalf of Public Works Canada. The status of these requests to the funding partners is as follows:

1. The Hamilton Harbour Commissioners, by resolution dated August 20, 1991, have agreed to contribute $16,666.00 to the defence fund. This amount is in direct proption to the Commissioners' contribution to the original clean-up fund;

2. The Ministry of the Environment and Environment Canada have failed to respond; and

3. The Regional Municipality of Hamilton-Wentworth and The Corporation of the City of Hamilton have refused to bring this matter to committee (City or Regional), as noted in Mr. P. Campea's November 12, 1991 letter addressed to the Commissioners.

In light of the above and the previous wind-up of the project trust, the Commissioners are at a loss as to how to proceed further. Consequently, the Commissioners are of the opinion that future requests to the four remaining funding partners for pro rata contribtions to the defence fund should come directly from Public Works Canada.

Cont'd....

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We trust that you will be in agreement with this suggested course of action.

Yours truly,
THE HAMILTON HARBOUR COMMISSIONERS

R. A. EDWARDS, P. ENG.
PORT ENGINEER

RAE:ah\RSS.18\RAE

c.c. Mr. Keith Avery,
City Clerk,
Corporation of the City of Hamilton
City Hall,
71 Main Street West,
Hamilton, Ontario
L8N 3T4.

- and to -

Mr. R. C. Prowse,
Regional Clerk,
The Regional Municipality of Hamilton-Wentworth,
119 King Street West,
Box 910,
Hamilton, Ontario
L8N 3V9.

- and to -

Mr. Simon Llewellyn,
Manager, Program Co-ordination,
Ontario Region,
Environment Canada
25 St. Clair Avenue East,
7th Floor,
Toronto, Ontario
M4T 1M2.

- and to -

Mr. Ray Stewart,
Ministry of the Environment,
Ellen Fairclough Building,
119 King Street West,
Box 2112, 12th Floor,
Hamilton, Ontario
L8N 3Z9.

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

****

TO: Mr. D. Turvey, Commissioner of Transportation\Environmental Services
Mr. J. Pavelka, Director of Public Works
Ms. P. Noe-Johnson, City Solicitor
Mr. A. Georgieff, Director of Planning
Mr. E. Matthews, City Treasurer
Miss. T. Agnello, Secretary, Transport and Environment Committee

FROM: Mr. J. J. Schatz
Deputy City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: HARBOUR CLEAN UP
S. MCNALLY AND SONS LIMITED -V- HER MAJESTY THE QUEEN, COURT FILE NO. T-970-91

DATE: 1991 November 25

Attached for your information, please find a copy of a letter dated November 19, 1991 from R. A. Edwards, Port Engineer, Hamilton Harbour Commissioners to Public Works Canada respecting the above which is self-explanatory.

For your information, this correspondence will be presented to City Council at its next regular meeting along with a recommendation that it be referred to the Transport and Environment Committee.

att.

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TOWNSHIP OF LIMERICK
CLERK-TREASURER

R.R.2, GILMOUR, ONTARIO K0L 1W0
PHONE (613) 474-2863
10:00 A.M. TO 4:00 P.M.

OFFICE OF THE CLERK,
MUNICIPAL GARAGE
ST. OLA ROAD

RECEIVED
NOV 25 1991
CITY CLERKS

4.

October 21st, 1991

TO: ALL MUNICIPALITIES IN THE PROVINCE OF ONTARIO
THE HONOURABLE RUTH GRIER, MINISTER OF THE ENVIRONMENT
THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

Dear Sir/Madam,

The Council of the Corporation of the Township of Limerick passed the following resolution in open council, October 18th, 1991.

MOTION NO. 261 - ALLAN HILL - RETA EVANS

RE: ENVIRONMENTAL PROTECTION ACT, PART VII, SEWAGE SYSTEMS

WHEREAS lakes and rivers are one of our most precious resources in Ontario,

WHEREAS many municipalities are concerned with the high pollution levels contributed by inadequate setbacks and outdated sewage systems,

WHEREAS the Ministry of Environment "grandfathered" sewage disposal systems in 1974, (17 years past) to allow existing sewage systems to remain in operation without a Certificate of Approval,

WHEREAS this policy limits municipalities in objecting to known cases of grossly inadequate systems that are possibly polluting lakes and altering the water quality,

NOW THEREFORE the Council of the Corporation of the Township of Limerick urges the Ministry of Environment to amend the Environmental Protection Act, Part VII, Section 67(1) to include some measure of inspection, and correction if necessary, of those systems that were installed before the 15th day of April, 1974,

AND THAT this motion be circulated to all municipalities in the Province of Ontario for their endorsement and distribution to the Ministry of Environment and to the Association of Municipalities of Ontario. CARRIED

The Council of the Township of Limerick requests and encourages your Council to adopt this resolution and would appreciate your feedback.

Yours very truly,

Jane E. Sopha, A.M.C.T.(A)
Clerk-Treasurer
Township of Limerick

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REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1992 and respectfully recommends:

1. That the appropriate by-law to amend By-law No. 86-77 to allow the placement of service club signs upon the road allowance be enacted by City Council.

2. That the by-law to repeal By-law No. 91-095, a by-law to expropriate 837 West 5th Street be enacted and registered on title.

3. That City Council enact the appropriate By-law to authorize the construction of local improvements of a concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approx. 99m easterly.

4. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalks on both sides of Upper Ottawa Street between Stone Church Road and Rymal Road.

5. That City Council enact the appropriate By-law to authorize additional expenditure for the construction of local improvements of concrete sidewalks on Stone Church Road West.

6. That City Council enact the appropriate By-law to authorize additional expenditure for the construction of local improvements of concrete sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue.

7. That City Council enact the appropriate By-law to authorize additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Mohawk Road West from Upper Horning Road to west City limits.

8. That City Council enact the appropriate By-law to authorize additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Barton Street from Kenora Avenue to Centennial Parkway.

9. (a) That an Offer to Purchase, executed by Lockwood Motors Limited (Ronald Lockwood), on October 24, 1991 and scheduled to close sixty (60) days after the enactment of a by-law to sell the closed alleyway between Elgin Street and Ferguson Avenue from Kelly Street to Cannon Street, for the purchase of one half of the alleyway running north/south from Cannon Street East to Kelly Street between Ferguson Avenue and Elgin Street, containing 191.08 square metres (2,056.86 square feet), more or less, be approved and completed. The purchase price of $24,000.00 be credited to Account Number CF 5698 42900200 (Central/Beasley P.R.I.D.E.).

(b) That a certified deposit cheque in the amount of $2,400.00 be held by the City Treasurer pending approval of this transaction.

10. That an Offer to Purchase, executed by 603976 Ontario Limited (Dan Valentini, President) on October 28, 1991 and scheduled for closing on or before January 13, 1992, for the purchase of a One Foot Reserve, be approved and completed. The subject property is a 1 foot strip of land along the easterly limit of Acadia Drive, shown as Part 1 on Plan 62R-11934, containing an area of 24.83 square metres (267.27 square feet). The purchase price of $1.00 be credited to Account Number CH 4X501 00107 (Services through Unsubdivided Land).

11. (a) That an Option to Purchase, executed by Berardo DiVincenzo, Luigi DiVincenzo and Gianfranco Testa on October 28, 1991 and scheduled for closing on or before January 27, 1992, for the purchase of part of the property at 11 Forbes Street required for the extension of Forbes Street in the Blossom Estate Subdivision, be approved and completed. The subject parcel contains 2,376 square feet (.054 acre), more or less, and is shown as Part 5 on Plan 62R-10161. The purchase price of $4.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands - Transportation Capital) in which sufficient funds are available to finalize this transaction.

(b) That consideration in the amount of $2.00 has been paid to the owners and forms part of the purchase price.

12. (a) That a purchase order be issued to The Ultimate Source Group, Burlington, in the amount of $63,795.15, for the supply and delivery of office furniture for the Traffic Operations Centre, being the lowest acceptable of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Traffic Operations Centre Account No. CF5500-75884100.

(b) That, because the official opening of the new centre is January, 1992 and there are long lead times for deliveries, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

13. That a purchase order be issued to 3M Canada Inc., London, for the supply and delivery of reflective sheeting as and when required during 1992, at the unit prices attached, being the only tender received, in accordance with specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through Traffic Sign Materials Account No. CH56154 75999.

14. That a purchase order be issued to the Canadian Corps of Commissionaires (Hamilton), Hamilton, for parking enforcement services for 1992, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows, and that this expenditure be financed through By-Law Services, Traffic By-Law Enforcement Account No. CH56323 75020:

	Hourly Rate
Sergeant	$11.35
Corporal	10.86
Commissionaire	10.43

G.S.T. extrat at 7%

15. That the City exercise its option to extend the following purchase orders to April 30, 1992, originally approved by Council October 29, 1991:

(i) Sifto Canada Inc., Mississauga, for the supply and delivery of coarse crushed sodium chloride;

(ii) Lakeview Sand & Gravel, Paris, for the supply and delivery of treated sand

16. That the City exercise its option to extend the purchase orders to April 30, 1994, with the contractors approved by Council July 30, 1991, Item 7 of the Tenth Report for the rental of equipment and labour for snow removal, at the rates attached thereto on Appendix "A".

17. That the limits of concrete sidewalk construction on the east side of Sorrento Place, as approved by City Council on July 30, 1991, be amended as follows:

    That sidewalks be constructed on the east side of Sorrento Place from the north limit of house #39 southerly to Como Drive, and on the west side of Sorrento Place from the north limit of house #40 southerly to Como Drive.

18. That Section 26 of the 14th Report of the Transport and Environment Committee adopted by City Council on July 22, 1986, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry act, R.S.O. 1980, for an order closing the Public Walkway from Larch Street to Northgate Drive as shown on Plan M-89 between Lots 150 and 151, on Reference Plan 62R-8822 be deleted in its entirety and replaced with the following:

    (i) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-Law for the stopping up, closing and sale of the Public Walkway from Larch Street to Northgate Drive.

    (ii) That the Commissioner of Transportation/Environmental Services be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-Law;

    (iii) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owners;

    (iv) That the Commissioner of Transportation/Environmental Services register a reference plan under the Registry Act, to delineate the manner in which the closed lands are to be distributed to the abutting owners.

19. That the action of the Commissioner of Transportation/Environmental Services in approving the application of Dofasco Incorporated to temporarily change Depew Street from a two-way street to a one-way street between Burlington Street and Gertrude Street, on Sunday December 15, 1991 from 8:00 a.m. to 5:00 p.m. to facilitate their "Annual Christmas Party" be approved, subject to the following conditions:

    (a) (i) That the applicant receive "Temporary Street Closure Application" approval from Regional Police Services, Traffic Division, and that all

barricading, detour signing and traffic control be subject to the direction of Regional Police Services, and that all actual costs be at the expense of the organizing group;

(ii) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department; on the affected roadways, if deemed appropriate, at the expense of the organizing group;

(ii) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;

(iv) That the applicant provide proof of $2,000,000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss;

(v) That the applicant reimburse Regional Police Services, Regional Engineering Department, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this event;

(vi) That no property owner or resident within the barricaded area be denied access to their property if requested;

(vii) That all property owners and tenants along the closed portion of the route be notified of the change in the street direction, by the applicant at least four weeks prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services;

(b) That the Commissioner of Transportation/Environmental Services be authorized to approve similar requests by Dofasco for this event in subsequent years, subject to the above-noted conditions.

20. (a) That the following City lands be incorporated into the various streets as noted below:

Elmore Drive	Part of Block "F", Plan 62M-273
Annabelle Street	Parts 1,2,4 on Plan 62R-11658
	- and Part 1 on Plan 62R-11755

(b) That the appropriate By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

21. That the approval granted by City Council on October 8, 1985 in adopting Item 31, of the 17th Report of the Transport and Environment Committee to close the unassumed north/south alleyway from Brucedale Avenue and Fennell Avenue between East 25th Street and East 26th Street, be deleted in its entirety.

22. That the approval granted by City Council on October 25, 1988, in adopting Item 6, of the 15th Report of the Transport and Environment Committee to close the unassumed north/south alleyway west of East 16th Street between Inverness Avenue and Thayer Avenue, Inch Park Neighbourhood, be deleted in its entirety.

23. That the approval granted by City Council on March 28, 1989 in adopting Item 17, of the 7th Report of the Transport and Environment Committee to close the unassumed north/south alleyway south of Dunsmure Road between Melrose Avenue South and Prospect Avenue South, be deleted in its entirety.

24. (a) That the additional funding in the amount of $1,300 for the City's share of municipal services in "Gagliano Gardens" subdivision be approved.

(b) That the Finance and Administration Committee recommend the source of funding.

25. (a) That the existing 1991 charges per metric tonne of overload be amended for 1992 as follows:

Type of Vehicle	1991 Charge	% Increase	1992 Charge
Tractor Trailer	$127.00	3.0%	$131.00
Single Unit Truck	$212.00	3.0%	$218.00

(b) That the above fees be reviewed each year.

26. (a) That in accordance with By-Law 89-72, that Muscillo Transport Limited be given an Annual Overload Permit for the year 1992 for eight (8) tractor trailers to travel upon Wilcox Street, Windermere Road, and Strathearne Avenue;

(b) That 11% of the total fee of $6,288.00, or $692.00, be credited to City account No. 25827011 (Overload Permit Fees), and that 89% or $5,596.00 be credited to Regional Account No. 46025-301502.

27. (a) That in accordance with By-Law 89-72, that Willis Transport Incorporated be given an Annual Overload Permit for the year 1992 for two (2) tractor trailers to travel upon Strathearne Avenue and Ferguson Avenue;

(b) That 15% of the total fee of $2,358.00 or $354.00 be credited to City account No. 25827011 (Overload Permit Fees), and that 85% or $2,004.00 be credited to Regional Account No. 46025-301502.

28. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The Women's Centre of Hamilton-Wentworth (80 Augusta Street, Hamilton, L8N 1R2) to display a promotional banner across Main Street West, in front of City Hall from November 25, 1991 to December 2, 1991, with the following message:

WIFE ASSAULT PREVENTION MONTH - END VIOLENCE AGAINST WOMEN CALL THE WOMEN'S CENTRE - 522-0127

29. (a) That the Mayor and City Clerk be authorized and directed to execute the required documentation to discharge an easement, known as Instrument No. 37834 A.B., for "Air Rights" affecting the lands of Maurice C. Carter Holdings Ltd. at 155 Cannon Street East, Hamilton;

(b) That the City Solicitor be authorized and directed to prepare and register the necessary discharge documentation.

30. That City Traffic **By-Law 89-72** be amended as follows:

(a) (i) That the existing "Alternate Side Parking" regulation on Greenaway Avenue between Cannon Street and Wilson Street be removed;

(ii) That a "No Parking" regulation be implemented on the west side of Greenaway Avenue between Cannon Street and Wilson Street.

(b) That the existing "No Stopping" corner clearance on the north side of Maplewood Avenue which commences at Balsam Avenue South and extends to a point 66 feet westerly therefrom, be shortened, such that the regulation commences at Balsam Avenue South and extends to a point 46 feet westerly therefrom.

(c) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 2nd Street between McElroy Road West and Wembley Road.

(d) That an "Alternate Side Parking" regulation be implemented on Dallas Avenue between East 37th Street and the west end, such that parking is prohibited;

- on the north side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November;

- on the south side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.

(e) (i) That the existing "No Parking" regulation on the west side of Glen Echo Drive commencing 106 feet north of the extension of the north curb of the southerly leg of Loyalist Drive and extending to a point 102 feet northerly therefrom be removed;

(ii) That a "No Stopping School Bus Loading Zone 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Glen Echo Drive commencing at a point 106 feet north of the extension of the north curb line of the southerly leg of Loyalist Drive and extending to a point 102 feet northerly therefrom.

(f) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of East 38th Street which commences at a point 295 feet south of Fennell Avenue and extends to a point 25 feet southerly therefrom, be relocated, such that the regulation commences at a point 365 feet south of Fennell Avenue and extends to a point 25 southerly therefrom.

(g) (i) That a "Permit Parking" regulation be implemented on the west side of San Remo Drive commencing at a point 98 feet south of San Francisco Avenue and extending to a point 20 feet southerly therefrom;

(ii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit Mr. Gerald White, 88 San Remo Drive.

(h) (i) That a "Permit Parking" regulation be implemented on the west side of Tisdale Street North, commencing at a point 77 feet north of King William Street and extending to a point 20 feet northerly therefrom;

(ii) That a "Permit Parking" regulation be implemented on the east side of Tisdale Street North, commencing at a point 38 feet north of King William Street and extending to a point 20 feet northerly therefrom;

(iii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mary Camara, 31 Tisdale Street North.

(i) That the existing "Permit Parking" regulation on the west side of Magill Street, commencing at a point 345 feet north of York Boulevard and extending to a point 20 feet northerly therefrom, be removed.

(j) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Bobolink Road commencing at a point 40 feet east of Meadowlark Drive and extending to a point 80 feet easterly therefrom be extended such that the regulation commences at a point 40 feet east of Meadowlark Drive and extends to a point 120 feet easterly therefrom.

(k) That a "No Stopping, Wheelchair Loading Only 24 hours a day, Monday to Friday" regulation be implemented on the west side of Normanhurst Avenue commencing at a point 307 feet north of Dunsmure Road and extending to a point 28 feet northerly therefrom.

(l) That a "No Parking" regulation be implemented on the south side of Dubarry Boulevard between Currie Street and Lorraine Drive.

(m) That a "No Parking" regulation be implemented on the west side of Lorraine Drive between Reno Avenue and Larch Street.

(n) That a "Two Hour Parking Limit, 24 hours a day, 7 days a week" regulation be implemented on the west side of Regency Street between Mohawk Road East and Summerlea Drive.

(o) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of West Avenue North between Evans Street and Cannon Street be replaced by a "One Hour Parking Time Limit, 24 hours per day, Monday to Saturday" regulation.

(p) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of East Avenue North between Barton Street and Birge Street be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.

(q) That a "No Parking" regulation be implemented on the west side of Emerson Street commencing 85 feet north of Holmes Avenue and extending to a point 27 feet northerly therefrom.

(r) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Auchmar Road between Fennell Avenue and Garth Street.

(s) (i) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" and "Alternate Side Parking" regulations on Emerald Street South between Main Street East and Hunter Street East be replaced by a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the west side of the street and a "No Parking" regulation on the east side of the street;

(ii) That a "No Stopping" regulation be implemented on the west side of Emerald Street South commencing at Hunter Street East and extending to a point 117 feet northerly therefrom.

(t) That the existing parking regulations on Millen Avenue between Empress Avenue and Brucedale Avenue be retained.

(u) That a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Elmwood Avenue between Upper Paradise Road and the westerly end.

(v) That a "Two Hour Parking Time Limit; 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Arkell Street between Newton Avenue and Paisley Avenue.

(w) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Biggar Avenue, be extended by 30 feet easterly.

(x) That a "No Parking" regulation be implemented on the west side of East 22nd Street, commencing 69 feet south of Concession St. and extending to a point 40 feet southerly therefrom.

(y) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Gertrude Street which commences 615 feet west of Depew Street and extends to a point 26 feet westerly therefrom, be removed.

(z) The three-way stop control be implemented at the intersection of Eugene Street and Pottruff Road.

(aa) (i) That the direction of stop control at the intersection of Glendale Avenue and Dunsmure Road be switched from the existing northbound and southbound stop on Glendale Avenue to an eastbound and westbound stop on Dunsmure Road;

(ii) That three-way stop control be implemented at the northerly intersection of Glendale Avenue and Roxborough Avenue.

(bb) That northbound traffic on Greenshire Drive be required to stop for eastbound and westbound traffic on Cranbrook Drive.

(cc) (i) That three-way stop control be implemented at the intersection of Hadeland Avenue and Wendover Drive;

(ii) That the direction of stop control at the intersection of Wendover Drive and Appleford Road be switched from northbound and southbound to eastbound and westbound.

(dd) (i) That three-way stop control be implemented at the intersection of Ayr Street and Bingham Road;

(ii) That three-way stop control be implemented at the intersection of Oriole Crescent, Glengrove Avenue and Armstrong Avenue;

(iii) That appropriate pavement markings be painted at the following intersections:

- Ayr Street and Bingham Road
- Oriole Crescent, Glengrove Avenue and Armstrong Avenue
- Main Street East and Reid Avenue
- Ayr Street and Reid Avenue

(iv) That a School Crossing Guard not be assigned to the intersection of Reid Avenue North and Ayr Street or to the intersection of Reid Avenue North and Dunsmure Road;

(v) That the Traffic Department contact the Principal of Roxborough Park School to request that children wishing to cross Reid Avenue in the vicinity of the school, be advised to do so at the three-way stop at Reid Avenue and Ayr Street;

(vi) That the Hamilton Street Railway relocate the existing northbound midblock bus stop and recovery point on the east side of Reid Avenue, 125 feet north of Dunsmure Road, to a point 165 feet north of Dunsmure Road on a trial basis.

(ee) (i) That four-way stop control be implemented at the intersection of West 27th Street and Bendamere Avenue;

(ii) That the existing northbound and southbound stop control at the intersection of West 23rd Street and Bendamere Avenue be switched to eastbound and westbound stop control.

(ff) That three-way stop control be implemented at the intersection of Glen Echo Drive and Secord Drive.

(gg) (i) That three-way stop control be implemented at the intersection of Hawkridge Avenue and Tyrone Drive;

(ii) That parking be prohibited on the east side of Tyrone Drive commencing at the south leg of Tyrone Drive and extending to a point 91 feet northerly therefrom;

(iii) That parking be prohibited on the north side of the south leg of Tyrone Drive commencing at Tyrone Drive and extending to a point 67 feet easterly therefrom.

(hh) (i) That a "No Stopping" corner clearance be implemented on the east side of Highridge Avenue commencing at Swan Street and extending to a point 59 feet northerly therefrom;

(ii) That a "No Stopping" corner clearance be implemented on the east side of Highridge Avenue commencing at Swan Street and extending to a point 69 feet southerly therefrom.

(ii) That a "No Stopping" corner clearance be implemented on the north side of Vansitmart Avenue commencing at Division Street and extending to a point 74 feet easterly therefrom.

(jj) That parking be prohibited on the north side of Margate Avenue commencing at Princeton Drive and extending to a point 98 feet easterly therefrom.

(kk) That a "No Stopping" regulation be implemented on the south side of Toby Crescent commencing at Grenadier Drive and extending to a point 70 feet westerly therefrom.

(ll) That in accordance with the request by the Hamilton Street Railway Company;

(i) the following new bus stops be approved:

Route 4 Bayfront/Nash

Inbound - Greenhill Avenue, north side, 377 feet east of the east curb line of Mount Albion Road (MB)

Outbound - Greenhill Avenue, south side, 194 feet east of the east curb line of Mount Albion Road (MB),

(i) the following bus stop relocation be approved:

Route 4 Bayfront/Nash

Inbound - Greenhill Avenue, south side, from 24 feet west of the west curb line of Quigley Road (N/S) to Quigley Road, 233 feet north of the north curb line of Greenhill Avenue (F/S).

(mm) (i) That a "Two Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on the south side of Napier Street between Queen Street North and Ray Street North;

(ii) That the existing "No Parking" regulation on the south side of Napier Street commencing at Queen Street North and extending to a point 350 feet westerly therefrom, be rescinded.;

(nn) That northbound traffic on Rouge Hill Court be required to stop for eastbound and westbound traffic on Congress Court.

31. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first two eligible applicants residing in the building at No. 276 Mountain Park Avenue.

32. That the application by Truscan Realty Limited to lease a portion of the boulevard of King Street West adjacent to 938 King Street West be approved provided that:

(i) The applicant pays the $213.40 annual fee in accordance with the fee structure approved by City Council on 1986 March 25, in addition to the $10.00 encroachment insurance charge approved by City Council on 1984 February 14.

(ii) The owner pays a one time $25.00 registration fee as approved by City Council on 1986 January 14.

(iii) The owner pays a one time $25.00 registration fee to discharge the existing boulevard parking agreement.

(iv) The owner pays a one time $160.05 processing fee, as approved by City Council on 1990 March 27.

(v) The owner complies with the requirements as set out in the policy approved by City Council on 1975 June 25, respecting using a portion of the road allowance for parking purposes.

(vi) The parking area be constructed and maintained at the owner's expense.

(vii) The owner executes an agreement satisfactory to the City Solicitor, to indemnify an save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

33. (a) That the Glenview East Neighbourhood be designated as a Neighbourhood Watch Area;

(b) That Neighbourhood Watch signs for the Glenview East Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department;

(c) That the necessary funds be charged to account No. 55301-75030 (Neighbourhood Watch Program).

34. (a) That the style of special street name sign submitted by the Westdale B.I.A. as illustrated in the drawing attached hereto as Appendix "B" be approved and,

(b) That the City of Hamilton Traffic Department be authorized to install and maintain the special street name signs as provided by the B.I.A. on King Street West from Sterling Street to Cline Avenue North, inclusive.

35. (a) That the Chairman or his designate be authorized to attend the 1992 Annual Conference of the Ontario Good Roads Association to take place on February 23 to 26, 1991 at the Royal York Hotel.

(b) That costs for attendance be allocated to Alderman Travel Account No. CH55201-10010 from the 1991 Operating Budget.

36. (a) That the construction of an independent concrete sidewalk on the east side of Upper Paradise Road adjacent to St. Thomas More School, 1045 Upper Paradise Road proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of ten thousand, seven hundred and eighteen dollars and nineteen cents ($10,718.19) as provided in the 1991 portion of the 1991 to 1995 Capital Budget with a City's share of zero dollars;

(b) That once the Hamilton-Wentworth Roman Catholic Separate School Board commutes the owner's share which is ten thousand, seven hundred and eighteen dollars and nineteen cents ($10,718.19), that the City Treasurer be authorized and directed to pay Invoice Number 19950 from Standard Paving Company for ten thousand, seven hundred and eighteen dollars and nineteen cents ($10,718.19).

37. That Mr. D. Lobo the Manager of Streets and Sanitation be appointed to be the Acting Director of Public Works while Mr. Pavelka is the Acting Chief Administrative Officer.

38. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to the transfer of PCB waste from PCB Storage Site No. 301-89A-003, 55 Goldthorne Avenue, Etobicoke, to PCB Storage Site No. 201-85A-049 at 1632 Burlington Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully.

(b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their information.

39. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Pat's Disposal Service Ltd. establishing the proposed waste disposal (processing) site at 306 Lake Avenue North, Hamilton, Ontario provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully.

(b) That a copy of this report and its attachments be submitted to the West Central Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by Pat's Disposal Service Ltd.

40. (a) That the School Crossing Guard located at Burlington Street East and Hillyard Street be relocated to Burlington Street East and Wentworth Street;

(b) That the Hamilton-Wentworth Regional Police Department be requested to provide safety training to students from Robert Land School on the proper and safe method of crossing roadways with a traffic signal.

41. (a) That the curb radii be increased at the north-west corner of the intersection of Gage Avenue and Barton Street, and at the north-east corner at the intersection of Barton Street and Chapple Street, and that the necessary funds, estimated to be $55,000.00 for land and construction, be provided in the 1992 sidewalk and roadway reconstruction budget;

(b) That letters be written to Food City and to Consumers Distributing asking that they post notices directing their drivers and other drivers to access the premises to and from Gage Avenue;

(c) That three "To Truck Route" signs be erected on Lloyd Street in the vicinity of the driveways to Food City and Consumers Distributing, indicating that the proper route is directly to Gage Avenue;

(d) That letters be written to Hamilton Builders Supplies and to Armour Viking Lewco Landoil and to the other business premises on Lloyd Street asking them to post notices directing their drivers and other drivers to use the appropriate shortest distance to the truck route;

(e) That "To Truck Route" signs be erected to direct truck movements from Hamilton Builders Supplies, Armour Viking Lewco Landoil and the commercial mall to the nearest truck route;

(f) That a "To Truck Route" sign be erected on Lloyd Street at Chapple Street directing eastbound truck traffic to proceed southerly on Chapple Street to Barton Street;

(g) That the existing "To Truck Route" sign on the west side of Chapple Street north of Lloyd Street be relocated to the south side of the Lloyd and Chapple intersection;

(h) That the directive to erect barriers on Lloyd Street to permit automobile traffic but prohibit truck traffic be rescinded;

(i) That a letter be sent to Consumers Glass thanking them for their cooperation in removing their trucks away from the portion of Lloyd Street between Gage Avenue and Chapple Street.

42. (a) That a "Signal Your Turn" sign be erected to remind southbound motorists on Queen Street approaching Aberdeen Avenue;

(b) That the Hamilton-Wentworth Regional Police Department be requested to provide additional enforcement of the various moving violations at the intersection of Queen Street and Aberdeen Avenue.

43. (a) That the parking meter maintenance and installation services presently provided by the Traffic Department be transferred to the Hamilton Parking Authority, effective immediately, on the following basis:

(i) That the positions of Traffic Meter Foreman, Traffic Meter Serviceman/Woman I, and two positions of Traffic Serviceman/Woman II in the Traffic Department be deleted;

(ii) That vehicle 9296 be transferred from the City to the Parking Authority;

(iii) That the ownership of all on-street meters and spare parts inventory be transferred from the City to the Parking Authority;

(iv) That furniture and shelving from the parking meter section not required by the Traffic Department be transferred to the Parking Authority.

44. (a) That the position of School Crossing Administrator be deleted and that the number of School Crossing Supervisors be increased from two to three;

(b) That one School Crossing Clerk position be approved and included in the 1992 budget estimates;

(c) That the Commissioner of Human Resources be requested to determine the appropriate salary schedules for the positions of School Crossing Supervisor and School Crossing Clerk;

(d) That the Director of Property and Director of Traffic Services be directed to investigate and report back on the office/storage space requirements of the School Crossing office.

That leave be granted to introduce the following Bills:

(a) **Bill A-1** A By-law Respecting Service Club Signs on Highways.

(b) **Bill A-2** A By-law to repeal By-law No. 91-095, being a by-law to expropriate 837 West 5th Street.

(c) **Bill A-3** A By-law to authorize the construction of a sidewalk on the north side of Concession Street from Belvidere Avenue to approximately 99m easterly under Section 12 of the Local Improvement Act.

(d) **Bill A-4** A By-law to authorize the construction of sidewalks on both sides of Upper Ottawa Street between Stone Church Road and Rymal Road under Section 12 of the Local Improvement Act.

(e) **Bill A-5** A By-law to authorize additional expenditure for the construction of local improvements of sidewalks on Stone Church Road West.

(f) **Bill A-6** A By-law to authorize additional expenditure for the construction of local improvements of sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue.

(g) **Bill A-7** A By-law to authorize additional expenditure for the construction of local improvements of sidewalks on the south

side of Mohawk Road West from Upper Horning Road to west City limits.

(h) **Bill A-8** A By-law to authorize additional expenditure for the construction of local improvements of sidewalks on the south side of Barton from Kenora Avenue to Centennial Parkway.

(i) **Bill A-9** A By-law to incorporate Parts 1, 2 and 4, Plan 62R-11658 and Part 1, Plan 62R-11755 into Annabelle Street.

(j) **Bill A-10** A By-law to incorporate Part 3, Plan 62R-9530 into Elmore Drive.

(k) **Bill A-11** A By-law to Amend By-law No. 89-72 to Regulate Traffic.

(l) **Bill A-12** A By-law to Amend By-law No. 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary

ALDERMAN H. MERLING, CHAIRPERSON
TRANSPORT AND ENVIRONMENT COMMITTEE

January 14, 1991

Ref: C14-9-91

NOTE: GST IS EXTRA AT 7% TO ALL PRICES

EQUIPMENT AND LABOUR FOR SNOW REMOVAL 1991-92, 1992-93, 1993-94

1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	1		17' with Wing 35,000 Single axle Ford 8000 1981	$ 95.00	$105.00	$115.00
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		8' blade 1 ton pickup, single axle, '83 Dodge	$ 45.00	$ 48.00	$ 52.00
Greco Bobcat Service & Concrete 6 Valora Court Hamilton, Ontario L8E 4S5	1		7' blade under 46,000 kg. single axle, 1980 GMC	$45.00	$46.00	$48.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	1		12' wing, single axle 17,500 GVW, 1983 Int. Model 2010A	$ 70.00	$ 75.00	$ 80.00
	1		14' one way plow 17,500 GVW, 1983 Int. Model 2010A	$ 70.00	$ 75.00	$ 80.00

1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING Cont'd.

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3		10	8' Blade	$ 46.00	$ 46.00	$ 48.00
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2		1	10' Blade, single axle, 14,000 GVW Ford L800 1980	$ 50.00	$ 53.00	$ 57.00
		1	10' Blade, Tandem 29,000 GVW Int. 2500 1979	$ 50.00	$ 53.00	$ 57.00

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

A) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $500 and $1,500 as per Page 4, Item 4. Standby Time a)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
F & S Excavating Ltd. 9 Tamarack Place Stoney Creek, Ontario L8N 2M7		Did not specify - 1	6' Blade, 1990 Toyota 4X4	$ 43.00	$ 43.00	$ 43.00
		Did not specify - 1	6' Blade, 1988 GMC	$ 43.00	$ 43.00	$ 43.00

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1		14' Blade Unit 1704 1969 Champion	$104.00	$106.00	$108.00
	1		13' Blade Unit 1706 1970 Champion	$104.00	$106.00	$108.00
	1		13' Blade Unit 1707 1971 Champion	$104.00	$106.00	$108.00
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	2		14' Blade Cat 140G	$154.21	$158.88	$163.55

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $1,000 and $1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Digit Contractors Ltd. R. R. #2 Binbrook, Ontario L0R 1C0	1		1978 13'6" Blade Champion 740	$145.00	$150.00	$155.00	GST extra
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	1		1975 602-T Champion	$135.00	$140.00	$145.00	
			1968 562-T Champion	$135.00	$140.00	$145.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		13' Blade Double Axle, 1978 Champion 740	$135.00	$145.00	$152.00	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0		1	13' Blade, Single Axle, 1966 Austin Western	$155.00	$165.00	$175.00	
		1	13' Blade, Single Axle, 1968 Austin Western	$155.00	$165.00	$175.00	

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $1,000 and $1,000 as per Page 5, Item 4. Standby Time c) - Cont'd.

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1		14' Blade 1974 Champion 600	$147.00	$154.35	$162.06
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2	1		12' Blade Chamption 562 1967	$140.00	$148.00	$157.00

3) MOTOR GRADER ONLY:

A) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $500 and $1,500 as per Page 4, Item 4. Standby Time a)

NO BIDS

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1		14' Blade Unit 1705 1969 Champion	$104.00	$106.00	$108.00
	1		13' Blade Unit 1708 1973 Champion	$104.00	$106.00	$108.00
	1		13' Blade Unit 1709 1973 Champion	$104.00	$106.00	$108.00
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	1		Champion 740	$ 90.00	$ 94.00	$ 98.00
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	2		14' Blade Cat 140G	$154.21	$158.88	$163.55

3) MOTOR GRADER ONLY:

C) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $1,000 and $1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Sisson Construction Limited o/a Quigley Contracting 185 Hendershott Road, P.O. Box 178 Hannon, Ontario L0R 1P0	1 1 1 2 1		12' Blades Double Axles Cat. Model 14 Cat. Model 112 Adams Model 330 Adams 440 Champion 562	$118.00	$126.00	$135.00	
Digit Contractors Ltd. R. R. #2 Binbrook, Ontario L0R 1C0	1 1 1	 1	13'6" Blade 1961 Cat. 12 1962 Champion 1972 Champion 1962 Champion	$125.00	$130.00	$135.00	* GST extra
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	1		1960 Cat 12	$125.00	$130.00	$135.00	
Wm. Groves Limited 800 Rennie Street Hamilton, Ontario L8H 3R2	1		13' with front blade, 1981 Dodge D600	$118.00	$130.00	$143.00	

3) MOTOR GRADER ONLY: Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $1,000 and $1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		13' Blade Double Axle, 1978 Champion 740	$120.00	$125.00	$135.00
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1 1 1 1 1		12' Blade Double Axle 1968 Cat 8T 1974 Cat 99E 1981 Cat 82V 1972 Cat 70D 1973 Cat 70D	$127.50	$135.00	$142.50
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1 1 1 1		14' Blades 1980 Champion 562 1968 Champion 562 1968 Champion 560 1972 Wabco 666B	$128.40	$137.38	$146.99
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1		12', 4X4 15 Ton, M.F. 1805 1978	$104.00	$108.00	$112.00

3) MOTOR GRADER ONLY: Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of $2,000 paid $1,000 and $1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2	1		12' Blade Cat 12 1969			
	1		13' Blade Cat 14 1965			
	1		13' Blade Wabco 666 1964	$129.00	$137.00	$145.00

4) TANDEM REAR AXLE DUMP TRUCKS

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Gordon E. Cooper 545 Barnaby Street Hamilton, Ontario L8H 6T8	4		16 yds. Double Axle See list	$ 44.50	$ 46.00	$ 46.50	
Douglas H. Hawkes o/a Lakeview Haulage 54 Seabreeze Crescent Fruitland, Ontario L0R 1L0	4		16 yds. Double Axle See list	$ 42.00	$ 43.00	$ 44.00	
L.M. Enterprises 714794 Ontario Limited 27 Crooks Street Hamilton, Ontario L8R 2Z7	5	6	All 16 yds.except one 14 yd., Double Axles See List	$ 43.00	$ 44.00	$45.00	
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	2		14 yds.^{3}, Double Axle, Int. 1978 Ford 1978	$ 42.00	$ 43.00	$ 44.00	
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	8	20 yds. Double Axle See List	$ 43.00	$ 45.00	$ 47.00	* plus taxes
Leo Stremble 802 Highway #97, R. R. #3 Puslinch, Ontario N0B 2J0	1		20 yds. Double Axle Ford 8000 1988	$ 46.00	$ 48.00	$ 50.00	

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	10		14 cu.yds. Double Axle See List	$ 51.40	$ 56.07	$ 60.75
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L0E 3P2	16	5	15 cu.yds. Double Axle See List	$ 48.00	$ 52.00	$ 56.00
Pasinato Haulage Ltd. 213 Stone Church Road West Hamilton, Ontario L9B 1A2		50		$ 41.00	$ 42.00	$ 44.00
758565 Ontario Limited o/a Mountainview Excavating 908 Ridge Road East Vinemount, Ontario L0R 2G0	1		16 yard Double Axle GMC 1978	$ 43.00	$ 44.00	$ 45.00
J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		18 yards Double Axle Ford 1989	$ 51.00	$ 52.00	$ 53.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	40		18 cu.yds. Double Axle See List	$ 47.00	$ 49.00	$ 51.00

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	3		18 cu.yds. Double Axle See List	$ 47.00	$ 49.35	$ 51.80
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	2		16 yard Double Axle See List	$ 49.00	$ 50.00	$ 51.00
Tony & Paul Concrete 6 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 & 18 yards Double Axle See List	$ 51.00	$ 52.00	$ 53.00
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0	2	4	Various yardages Double Axle See List	$ 42.00	$ 44.00	$ 46.00
Puglisi & Son Haulage Ltd. 524 Upper Kenilworth Avenue Hamilton, Ontario L8T 4H2	2	6	15 ft. Double Axles See List	$ 44.00	$ 46.00	$ 48.00
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 cu.yds. Double Axles See List	$ 51.00	$ 52.00	$ 53.00

5) RUBBER TIRED LOADERS

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Molisan Construction Company Limited 40 Hildegard Drive Hamilton, Ontario L8K 5R9	1		1989 Ford 655 1-1/4 cu.yds.	$ 52.00	$ 54.00	$ 56.00	plus GST
Cardeen Construction Limited 11 Garden Avenue, Unit #8 Stoney Creek, Ontario L8E 2Y8	8		See List	$106.00 $ 66.00 $ 71.00	$109.00 $ 69.00 $ 74.00	$114.00 $ 74.00 $ 79.00	
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	5		See List	$ 52.00 $ 45.00 $103.00	$ 55.00 $ 46.00 $105.00	$ 60.00 $ 47.00 $107.00	
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3		4	1.5 yd.	$ 57.00	$ 57.00	$ 58.00	
O. Ciccarelli & Son Contracting 807 Highway 53 East, R. R. #1 Ancaster, Ontario L9G 3K9	1		'89 Caterpillar 2.5 yd.^{3}	$ 75.00	$ 77.00	$ 79.00	
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	2		1-1/2 yd.^{3}	$ 62.00	$ 64.00	$ 66.00	

5) RUBBER TIRED LOADERS Cont'd.

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1	1	1-1/2 yd.	$ 55.00	$ 57.50	$ 60.00
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	4		1-1/2 yds.	$ 44.86	$ 46.73	$ 48.60
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	10		3 yard 1-1/4 yard	$ 85.00 $ 55.00	$ 90.00 $ 58.00	$ 95.00 $ 61.00
Mountsberg Excavating Inc. 1554 Old Highway 99, R. R. #3 Dundas, Ontario L9H 5E3	3		1-1/2 yard	$ 65.00	$ 67.50	$ 70.00
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontairo L8H 2L8	1		1 m^3	$ 56.00	$ 60.00	$ 65.00
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6		2	1-1/2 Bucket	$ 48.00	$ 50.00	$ 52.00

5) RUBBER TIRED LOADERS Cont'd.

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		1 yard	$ 57.00	$ 58.00	$ 59.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	15		3 yard^3 1.5 yard ^{3}	$ 92.00 $ 62.00	$ 97.00 $ 67.00	$102.00 $ 72.00
G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	1 3		3-1/2 yd.Bucket 1-1/8 yd.Bucket	$ 85.00 $ 58.00	$ 89.25 $ 61.00	$ 93.70 $ 64.00
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	1		1 Yard	$ 59.00	$ 60.00	$ 61.00
Tony & Paul Concrete 6 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	$ 57.00	$ 58.00	$ 59.00
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0		2	1-1/2 yds.	$ 46.00	$ 48.00	$ 50.00

5) RUBBER TIRED LOADERS Cont'd.

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	$ 57.00	$ 58.00	$ 59.00

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	Number of Units Owned	Non-Owned	Size of Blade	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Artek 617180 (Wayne Gater) 250 Kemp Road West Grimsby, Ontario L3M 4E7	5		5'	$ 58.00	$ 61.00	$ 64.00
O. Ciccarelli & Son Contracting 807 Highway 53 East, R. R. #1 Ancaster, Ontario L9G 3K9	1 1		48" 60"	$ 45.00	$ 46.00	$ 47.00
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1	 1	4' Blade or Snowblower 5'	$ 62.00	$ 64.00	$ 66.00
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	2		4-1/2' bucket	$ 41.12	$ 42.99	$ 44.86
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	1			$ 52.00	$ 55.00	$ 58.00
Harold J. Martin o/a Crescan Landscape Contractors P.O. Box 4056, Station D Hamilton, Ontario L8V 4L5	2	1	See List	$ 50.00	$ 54.00	$ 58.00

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd.

	Number of Units Owned	Non-Owned	Size of Blade	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6	1	1	60"	$ 44.00	$ 45.00	$ 46.00
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	1	4'11"	$ 45.00	$ 47.00	$ 49.00
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	1 1 1		48" or 60" 48" 32"	$ 38.00 $ 30.00 $ 25.00	$ 42.00 $ 34.00 $ 28.00	$ 47.00 $ 38.00 $ 30.00
851694 Ontario Inc. o/a Battlefield Bobcat Service 367 Hemlock Avenue Stoney Creek, Ontario L8E 2C9	2		59"	$ 46.00	$ 47.00	$ 48.00
William Spear 161 Allenby Hamilton, Ontario L9A 2T6	1		4'11"	$ 45.00	$ 47.25	$ 49.65

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd.

	Number of Units Owned	Non-Owned	Size of Blade	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	2		4'8" Blade and Bucket	$ 50.00	$ 50.00	$ 53.00
Triple "G" Fencing & Landscaping 1592 Upper Gage Hamilton, Ontario L8W 1E7		2	Skid Steer Loaders Bucket or Blade 54" & 60"	$ 48.00	$ 49.00	$ 50.00
Sunset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3	2		54"-60"	$ 48.00	$ 52.00	$ 56.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	20		Blade & Bucket 54"-60"	$ 60.00	$ 65.00	$ 70.00
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	1		5'	$ 51.00	$ 52.00	$ 53.00

7) WHEELED SIDEWALK CLEANER WITH BLOWER

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	20		8' Blade, V8 4X4 Trucks	$ 49.00	$ 53.00	$ 57.00

8) TRACK SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Benny Haulage Limited 66 Hillyard Street Hamilton, Ontario L8L 6B4	1		1978 5'	$ 68.00	$ 73.00	$ 78.00
741806 Ont. Inc. o/a Blizzard Snow Plowing 669 Beach Blvd. Hamilton, Ontario L8H 6X8	1		1974 48"	$ 50.00	$ 52.00	$ 55.00
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	3		1974/5 4'8"	$ 50.00	$ 50.00	$ 53.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	4		54"	$ 68.00	$ 73.00	$ 78.00

9) TRACK SIDEWALK CLEANER WITH BLOWER NO BIDS

10) MISCELLANEOUS EQUIPMENT

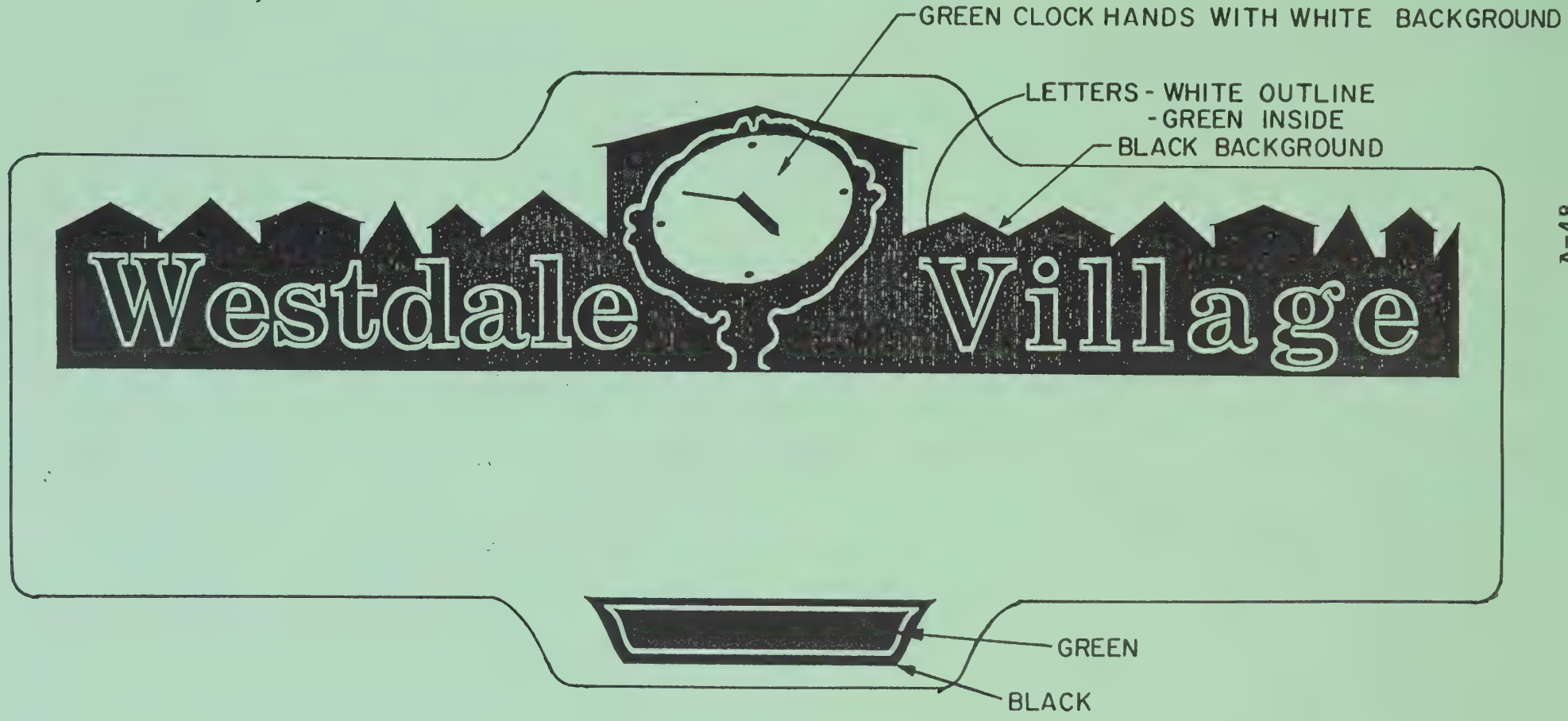
	Number of Units Owned	Non-Owned	Details	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Cardeen Construction Limited 11 Garden Avenue, Unit #8 Stoney Creek, Ontario L8E 2Y8	1		Cat D7 1988 Blade with Cab Hi Track	$ 95.00	$ 98.00	$103.00
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	1 1		Track Loaders Cat 953 1985 Cat 963 1987	$ 79.00	$ 81.00	$ 83.00
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1 1 1		Int.1066 1980 140 HD 8'Snowblower MF 1185 1978 140 HD 8' Snowblower GMC 2500 1989 Pickup 4x4 8' Blade	$100.00 $100.00 $ 60.00	$104.00 $104.00 $ 62.00	$108.00 $108.00 $ 64.00
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1		1991 Dodge Truck complete with rev. plow, 4X4, 1 ton dual wheels	$ 40.00	$ 42.50	$ 45.00
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	1 1 1		GMC 3/4 Ton 1985 4 Way Angle Blade Jeep 4X4 1989 4 Way Angle Blade Jeep 4X4 1988 4 Way Angle Blade	$ 37.38	$ 39.25	$ 41.12
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	7		JD 450 Dozer 6 way Blade JD 550 Dozer 6 way Blade JD 750 Dozer	$ 61.00 $ 62.00 $ 78.00	$ 64.00 $ 65.00 $ 80.00	$ 67.00 $ 68.00 $ 82.00

10) MISCELLANEOUS EQUIPMENT Cont'd.

	Number of Units Owned	Non-Owned	Details	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Harold J. Martin o/a Crescan Landscape Contractors P.O. Box 4056, Station D Hamilton, Ontario L8V 4L5	2	1	'88/89 3/4T 4X4 with 7-1/2' Western Plow	$ 50.00	$ 54.00	$ 58.00
	2		'88/89 Gravely 5400 12 hp with 48" blade or 39" snow thrower	$ 32.00	$ 35.00	$ 39.00
Wm. Groves Limited 800 Rennie Street Hamilton, Ontario L8H 3R2	1		Ford 555A 1985 Loader/Backhoe	$ 77.00	$ 85.00	$ 84.00
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1		'78 Jimmy 4X4 7-1/2' Blade	$ 43.00	$ 45.00	$ 47.00
	1		'75 Chev 1 ton 4X4 8-1/2' Blade	$ 43.00	$ 45.00	$ 47.00
		4	On request	$ 43.00	$ 45.00	$ 47.00
L.M. Enterprises 714794 Ontario Limited 27 Crooks Street Hamilton, Ontario L8R 2Z7	1		'90 Bobcat 743 5' bucket	$ 45.00	$ 56.00	$ 47.00
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	3		1 ton 8' Arctic Plow & 2 yd. Sanding Unit '89/'90/'91	$ 40.00	$ 45.00	$ 50.00

10) MISCELLANEOUS EQUIPMENT Cont'd.

	Number of Units Owned	Non-Owned	Details	HOURLY RATE PER TERM Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	2		Ford 4X4 Power Angle Plow '80/'87	$ 50.00	$ 50.00	$ 53.00
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	3		Rubber Tire Backhoes '87/'90	$ 88.79	$ 93.46	$ 98.13
Sunset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3	1		'88 GMC 1 Ton 8' Blade	$ 48.00	$ 52.00	$ 56.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	2		Single axle 10 cu.yd. dump sander with spinners, equiv. to City sanders '83 Intern/2010A	$ 70.00	$ 75.00	$ 80.00


GREEN CLOCK HANDS WITH WHITE BACKGROUND
LETTERS - WHITE OUTLINE
- GREEN INSIDE
BLACK BACKGROUND
Westdale Village
GREEN
BLACK

B

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1992 and respectfully recommends:

1. That the Mayor be authorized to execute a Memorandum of Co-operation between the Corporation of the City of Hamilton (Hamilton Military Museum) and the Canadian War Museum.

2. (a) That fees for sport tournaments be paid at the time of confirmation and be non-refundable.

   (b) That any sport permit not being used as approved and not being cancelled with two weeks notice will result in future loss of such facilities.

3. That the Hamilton Sports Council review civic awards applications in conjunction with the City Clerk's Department and thereafter make their recommendations pertaining to the level of civic recognition (Provincial/National Achievement).

4. That the action taken by the Director, Department of Culture and Recreation to approve the wording for the John Morison Gibson plaque attached hereto as Appendix "A", be endorsed.

5. That the action taken by the Director, Department of Culture and Recreation, to purchase a set of antique lead glass drinking goblets etched with cock-fighting scenes purchased with funds from the Freda Waldon Trust Account - Dundurn Castle, be endorsed.

6. That approval be given to provide supervised programs of Winterfest to permit dog weight pull, sleigh rides and large events at Chedoke and King's Forest Winter Sports Parks.

7. That approval be given for the use of City Council Chambers by the Hamilton Sports Council for the purpose of conducting meetings on the following dates: 1992 January 30, March 25, May 21.

8. That the City of Hamilton exercise its Option No. 1, to renew the Amending Agreement, dated 1990 April 25, with Geraldo's Catering Inc. for the period 1992 February 29 to 1993 February 28.

9. (a) That the lease agreement between the Minister of Government Services and the Mount Hamilton Lawn Bowling Club and the City of Hamilton for the use of lands located on the grounds of the Hamilton Psychiatric Hospital be amended to facilitate relocation of the perimeter fence to include existing light standards and provide a safer, more spacious play environment for club members and other user groups.

(b) That the Mayor be authorized to sign the amending lease agreement.

10. (a) That the Parks Division of the Public Works Department be authorized to make application to the Federal Government - Canadian Job Strategies, Section 25 Program for funds totalling $81,190.00 to hire four temporary full time staff to assist in the collection of background data and inventory work necessary for the "City of Hamilton Park and Open Space Master Plan".

(b) That the Mayor and City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the Canadian Job Strategies, Section 25 Program.

(c) That the Treasury Department be authorized to undertake the financial administration of the Canadian Job Strategies, Section 25 Program.

11. (a) That the lease renewal of City-owned lands at the north-west corner of Barton Street East and Sanford Avenue North with the Ministry of Government Services, for the operation of an Air Pollution Monitoring Station, for a five (5) year period commencing 1993 January 1, at a rental rate of $25.00 per year plus taxes, be approved.

(b) That the City Solicitor be authorized to prepare the necessary lease agreement.

(c) That the Mayor and City Clerk be authorized to execute the lease agreement.

12. (a) That the City of Hamilton enter into a Licence Agreement with Ontario Hydro for the use of their lands for recreational purposes located at 628 Limeridge Road East and extending southward to Stone Church Road East abutting No. 549 Stone Church Road East, and continuing from the south side of Stone Church Road East abutting No. 560 Stone Church Road East in extension southward to Rymal Road East abutting No. 557 Rymal Road East. Said Agreement to be for a term of twenty-five (25) years at a rate of $1.00 per annum, commencing 1992 March 1 and terminating 2017 February 28. Said parcels are more particularly described as firstly, part of Lot 9 and 10, Concession 7, having a frontage of 30.98 metres (101.65 feet), more or less, along the southerly limit of the future east/west portion of the Red Hill Creek Expressway, having a constant width, more or less, extending southward to the northerly road limit of Stone Church Road East, comprising a total area of 5.5 acres (2.22 hectares), more or less. Secondly, part of Lot 10, Concession 8, having a frontage of 29.45 metres (96.63 feet), more or less, along the northerly limit of Rymal Road East, being constant in width, more or less, and comprising a total area of 7.3 acres (2.95 hectares), more or less. The payment of this Licence be charged to Account No. CH5X326 00201 (Reserve for Acquisition of Parklands).

(b) That this Licence be conditional upon the Licensee being able to terminate this Agreement upon one (1) years notice in writing to the Licensor.

(c) That the City Solicitor be authorized and directed to register this Agreement on Title to the lands being licensed to the Licensee and the Regional Surveyor be authorized and directed to provide the necessary legal description or survey as may be required.

(d) That the Mayor and City Clerk be authorized to execute the necessary documentation in a form satisfactory to the City Solicitor.

13. (a) That approval be given to enter into a Licence Agreement with Southmount Cable Limited to allow the installation of a buried cable on City-owned property west of Mountain Brow Boulevard. The land contains an area of 100.22 square metres (1,078.8 square feet), more or less, shown as Parts 1 and 2 on Plan 62R-11507. The licence consideration of $1.00 plus taxes be credited to Account No. CH44104 31106 (Miscellaneous Revenue). The licence will commence on the first (1st) day of the month following City Council's approval.

(b) That the Mayor and City Clerk be authorized to execute a Licence Agreement satisfactory to the City Solicitor.

14. (a) That a purchase order be issued to Wayne Electric Co. Limited, Carlisle, in the amount of $83,555.00 to install lighting at Soccer Field No. 4, Mohawk Sports Park, being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Mohawk Sports Park Soccer Field No. 4 Account No. CH56398 62910.

(b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

15. (a) That a purchase order be issued to 877138 Ontario Inc., o/a Bud's Contracting, Stoney Creek, in the amount of $64,388.38 including all taxes, to supply and install steel railing fence and granular base for asphalt walk, Sam Lawrence Park, being the lowest of five quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Sam Lawrence Park Account No. CF5200 628954002.

(b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

16. That a blanket purchase order be issued to Parsons Unit Step, Hannon, to supply and delivery grave crypts and/or liners as and when required during 1992, 1993 and 1994, being the lowest tender received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender at the following prices, and that this expenditure be financed through Sale of Crypts Account No. CH24011 00001:

Regular	$272.00
Youth	260.00
Oversize	299.00

P.S.T. included at 8%. G.S.T. extra at 7%.

17. That the City exercise its option to extend the existing agreement with Skate Sharpeners Ltd., Calgary, for an additional one-year term to expire 1992 December 31, with an option to renew for two additional one-year terms, to supply, install, service and maintain skate sharpening machines at nine arenas, originally approved by City Council 1991 June 25 as Section 3 of the Thirteenth Report of the Parks and Recreation Committee.

18. (a) That funding of $1,000,000.00 for the construction of a Crystal Palace be included in the Five Year Capital Budget submission when the Crystal Palace Sub-Committee has been successful in obtaining the balance of the funds (approximately $5,275,000.00 in 1990 dollars) from the other levels of government and the private sector.

(b) That $30,000.00 be appropriated in the 1992 Parks Current Budget to provide funding for an architectural schematic to be prepared and for the fund raising campaign.

19. (a) That approval be given to enter into a contract with Svedas Koyanagi Architects Inc. as the Prime Consultant for the West Mountain Twin Pad Arena in accordance with the project brief dated 1991 December 18, and amendments, which includes the site, adjoining roads and services. The contract amount will be $406,778.00 plus 7% G.S.T. of $28,474.00.

Svedas Koyanagi Architects Inc. is being proposed as the Prime Consultant based on their successful competitive tender and design performance on the Twin Pad Arena, Olympic Park in 1987. Due to this past performance and experience, their team was selected to complete a Feasibility Study in late 1990 for the new Chedoke site which resulted in "Concept 2", and a building estimate.

The members of the "West Mountain Twin Pad Arena Working Sub-Committee" have participated fully in all aspects of the project development to date, and support the negotiated terms of the proposed Svedas Koyanagi contract and the estimates developed for the building/site, and the roads/sewers.

(b) That a contract satisfactory to the City Solicitor be entered into between the City of Hamilton and the Prime Consultant, Svedas Koyanagi Architects Inc.

(c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

20. (a) That the City complete the final land acquisition contemplated in the Agreement dated 1975 June 19 between Ontario Housing Corporation and the City to acquire those parcels of land necessary to complete the T. B. McQuesten Park, by a conveyance from Ontario Land Corporation to the Corporation of the City of Hamilton of 18.876 acres in the Rushdale Neighbourhood for the price of $170,589.24 subject to adjustment for taxes and interest.

(b) That the Mayor and City Clerk be authorized to execute all necessary documents relating to the completion of the said transaction in a form satisfactory to the City Solicitor.

(c) That the purchase be referred to the Finance and Administration Committee for source of funding.

21. (a) That the Grounds Use Policy for Dundurn and Harvey Parks dated 1991 October 30 attached hereto as Appendix "B", be approved.

(b) That the Director of Culture and Recreation make a priority of locating an alternate site for the Earthsong Festival on an interim basis for 1992, with the long term intent of locating the Festival to the former Lax Property.

22. That approval be given to staff in the Cultural Services Division to apply for a grant under the Conservation Assistance Programme - Federal Department of Communications, to establish the position of Conservator.

23. (a) That, effective 1992 January 1, all ball facility users provide proof of $2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury prior to receipt of permits for field usage.

(b) That prior to the removal of any baseball facility or league from a previously permitted park that another facility be developed and made available prior to the facility loss.

24. That the charitable donation of the tugboat "Bayport" by McKeil Marine Limited be accepted and that the City issue a tax receipt for $75,000.00 under the "Friends of the Parks" programme.

25. For the information of the Members of City Council, the Parks and Recreation Committee at its meeting held 1992 January 7 made the following Aldermanic appointments to the Sub-Committees under its jurisdiction:

(a) Arts Advisory Sub-Committee
Alderman M. Kiss
One (1) Member of City Council still required for appointment

(b) Crystal Palace Sub-Committee
Alderman M. Kiss
Alderman T. Jackson

(c) Hamilton Historical Board
Alderman Wm. McCulloch
Alderman B. Morelli

(d) Hamilton Veterans Committee
Alderman Wm. McCulloch

(e) Parks and Recreation Citizens' Advisory Sub-Committee
Alderman D. Agostino
Alderman T. Anderson

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 January 7

JOHN MORISON GIBSON

Lawyer, politician, and businessman, John Gibson was a tireless proponent of the economic advancement of Hamilton. Gibson's Hamilton-focused business interests encompassed real estate development, industrial promotion, the provision of internal urban services such as utilities and streetcars, and the organization and operation of interurban electric railways. In 1896, as one of a group of local businessmen known colloquially as the "Five Johns", he helped to found the Cataract Power Company, later renamed Dominion Power and Transmission. By the early 1900's, companies in which he was a principal dominated the hydroelectricity supply system and the radial railway network of the Hamilton-Niagara region. Gibson was instrumental in bringing the Westinghouse Manufacturing Company to Hamilton and in founding the Hamilton Steel and Iron Company, a forerunner of Stelco. He served as first president of National Steel Car. An ardent militia supporter and acclaimed rifleman, Gibson was commanding officer of the Thirteenth Battalion from 1886 to 1895. He served in the Mowat, Hardy, and Ross provincial Liberal governments where he was responsible for the 1893 Act which led to the formation of Children's Aid Societies in Ontario. Gibson was first president of the Canadian Red Cross and served as Lieutenant Governor of Ontario from 1908 to 1914.

GROUNDS USE POLICY
DUNDURN AND HARVEY PARKS

PREAMBLE

National Heritage Significance

In 1985 Dundurn Castle and the surrounding landscape were recognized nationally as a site of historic and architectural significance by the National Historic Sites and Monuments Board.

Site History Summary

The part of Burlington Heights now known as Dundurn and Harvey Parks contains a compelling material culture record of the prehistory and history of human occupation in the Hamilton area. Many of the major forces of development and change, from prehistoric hunting and agriculture through early European settlement, the War of 1812, the rise of industry, trade and transportation, and immigration are represented in the site's buildings, landforms, vegetation, and archaeological resource. The historical significance of the site was recognised at an early date.

In 1900 the buildings and grounds were opened to the public as a museum and park, making Hamilton a pioneer in the field of Canadian historic preservation. Currently the parks are home to two of the most successful community museums in the country. Dundurn Castle and the Hamilton Military Museum annually generate nearly 100,000 museum visitations.

Site Chronology

Geological:

The parks sit on top of Burlington Heights, a rise of land which separates Hamilton Harbour/Burlington Bay and Cootes Paradise. Less than 14,000 years ago this was one of the last beaches along the receding glacial Lake Iroquois, the prehistoric ancestor of Lake Ontario. The Heights are composed of sandy subsoil over a bedrock of silurian dolomite and Queenston shale.

Prehistoric:

The parks are situated in what once was a rich hunting and fishing ground along the St. Lawrence-Great Lakes travel route. Strong archaeological evidence supports the human use of the site at least as far back as 3,000 B.C., with use by native people up to the historic period. Activities may have included hunting and fishing, agriculture, and burial mound building.

Appendix "B" as referred to in Section 21 of the Parks and Recreation Committee

Historic:

With the arrival of merchant and trader Richard Beasley prior to 1793, the site became one of the earliest locations of European settlement in the area.

Beasley was actively engaged in trade until his estate was commandeered by the British and Canadian forces retreating from Fort George in 1813 to become the headquarters for the Niagara frontier. Colonel John Harvey led his troops from the Heights to the pivotal Battle of Stoney Creek. Following the war Beasley sold his property to his cousin, John Solomon Cartwright.

In 1832 the property was sold to Allan Napier MacNab who set about building an estate which became one of the finest in Upper Canada. MacNab's diverse careers as lawyer, entrepreneur, land speculator, investor, promoter and politician made him a driving force in Hamilton society, and a leader in the economic and political life of the area. MacNab was knighted for his part in suppressing the Rebellion of 1837, and became Prime Minister of the United Provinces of Canada in 1854. Sir Allan died in 1862.

After several years MacNab's complex estate was settled and his sister-in-law took possession of the property. It was leased in 1868 to the provincial Asylum for the Deaf and Dumb, then sold to an American syndicate, apparently for conversion to a resort.

In 1872 Senator Donald McInnes purchased the property and it once again became a private home. Additions to the service wing of the house, and construction of the bowling alley, billiard room and stone stables probably date from his occupation.

As early as 1893 the city expressed a desire to obtain the property for park and museum use. In 1899 the Parks Board purchased the estate. In 1900 the site was opened as a park, zoo and general collection museum. In 1932 an aviary replaced the zoo.

Recognition:

The historical nature of the park was established in its earliest days. The plaquing of various locations in the two parks began early in this century, primarily for the military role of the parks in the War of 1812 and the Rebellion of 1837.

Burlington Heights was designated federally in 1935. Federal plaques marking the importance of MacNab's career, and the Dundurn Estate were erected in 1985.

Provincial plaques commemorate the Burlington Races, and the careers of MacNab and Sir John Harvey.

In 1964 the restoration of the grounds and buildings was undertaken as the City's contribution to the country's Centennial celebrations. A committee of local interested citizens was formed to work under the direction of the top restoration professionals of the day. Financial assistance was provided from all three levels of government. Dundurn Castle was re-opened as an historic site/living history museum in 1967.

In 1976 the site became home to a second museum with the opening of the Hamilton Military Museum in Battery Lodge.

The grounds and buildings were designated under the Ontario Heritage Act in 1977, and in 1983 a Heritage Easement Agreement between the City and the Ontario Heritage Foundation was signed. This agreement prohibits the commission of any act which would alter or damage the "historical, architectural, aesthetic and scenic character and condition" of the subject buildings and property.

In 1985 the Historic Sites and Monuments Board declared the site to be of national importance because the Castle with "its outbuildings and grounds which stand as an important example of the Picturesque Movement in Canada."

GROUNDS USE POLICY

Dundurn and Harvey Parks comprise an important heritage resource at the local, provincial and national levels. Therefore the conservation of this resource must be at the forefront of any decision about appropriate use of the site. As well, the historic public role of the site as a place for passive recreational and educational pursuits, and quiet enjoyment by museum and park visitors must be respected.

General

All general regulations and requirements for the use of City parks by an organization, such as proof of liability insurance and permits from Fire, Traffic and Public Health Departments, and any pertinent City by-laws, such as noise control and parking by-laws will be in effect. In addition, the following provisions will apply:

-Dundurn and Harvey Parks will continue to be available for such activities as walking, jogging, small picnics, and other such passive recreational uses with the provision that such activities do not threaten the heritage characteristics of the site, and do not infringe on the quiet enjoyment of the site by other visitors. Gatherings of up to 50 persons for such purposes are permitted without prior approval, provided that the activity meets all other requirements outlined in this Policy.

-Digging without permission is forbidden through by-laws in any City park. Because of the historical and archaeological significance of Dundurn and Harvey Parks no digging, peg or stake driving, or soil disturbance of any sort is permitted unless permission has been granted and archaeological concerns have been mitigated by curatorial staff of the Cultural Division of the Department of Culture and Recreation.

-Sound amplification and lighting equipment are not permitted without prior approval.

-On-site pre-event signage for any programme or event will be limited to the approved areas below the main site identification signs. No additional signage may be erected without prior approval. Signage required on the day(s) of a programme or event for such purposes as direction or interpretation must have curatorial approval and must be totally free standing. Driving of stakes or supports into the ground, or attachment of signage to buildings or other heritage features is not permitted.

-Operation of any motor vehicle or machine in any area besides designated roadways or parking areas is prohibited except with prior approval. Public Works vehicles operating in the normal course of routine duties are excepted.

Still Photography and Filming

-Still photography or filming for non-commercial purposes, using hand portable equipment, is permitted anywhere on the grounds provided that it does not threaten the heritage characteristics of the site and does not infringe on the enjoyment of the site and buildings by other visitors.

The above regulations will apply to wedding photography with the added requirement that an application must be submitted to the Department of Culture and Recreation at least 30 days prior to the booking.

-Commercial filming and photography are not permitted except for purposes of documentation or promotion of museum programming and with prior curatorial permission.

Attendance

-Gatherings of more than 50 persons must be approved in advance. No event which could overburden site facilities such as parking, picnic areas or washrooms will be considered.

-Maximum allowable peak attendance for any event held during open hours of Dundurn Castle and the Hamilton Military Museum, and not held in conjunction with or as part of a programme of Dundurn Castle or the Hamilton Military Museum will be 250 visitors.

-Maximum allowable peak attendance for programmes sponsored or run by Dundurn Castle or the Hamilton Military Museum will be 600 visitors, including regular museum visitors. This figure represents the total capacity of the site based on parking, park size, and other facilities.

-Maximum allowable peak attendance for any event held outside of open hours of Dundurn Castle and the Hamilton Military Museum, and not held in conjunction with or as part of a programme of Dundurn Castle or the Hamilton Military Museum will be 600 visitors. All set up and clean up for such an event must take place between the closing and opening hours of Dundurn Castle and the Hamilton Military Museum previous and subsequent to the event.

-Permission will not be granted for any event held during open hours of Dundurn Castle and the Hamilton Military Museum which, when combined with a previously scheduled museum programme, would exceed the maximum allowable attendance.

Approvals

-Permission for the running of any event or programme which requires prior approval for any reason outlined in this policy must be applied for in writing by September 1st of the previous year. This is necessary to allow the impact of the activity on site programmes and operating budgets, which are planned a year in advance, to be considered.

Application will be made to the Curator of Dundurn Castle or the Hamilton Military Museum on the approved form. The application will be forwarded with a recommendation to the Hamilton Historical Board for approval.

Written confirmation or denial of the application will be supplied by the Curator following the Board's decision.

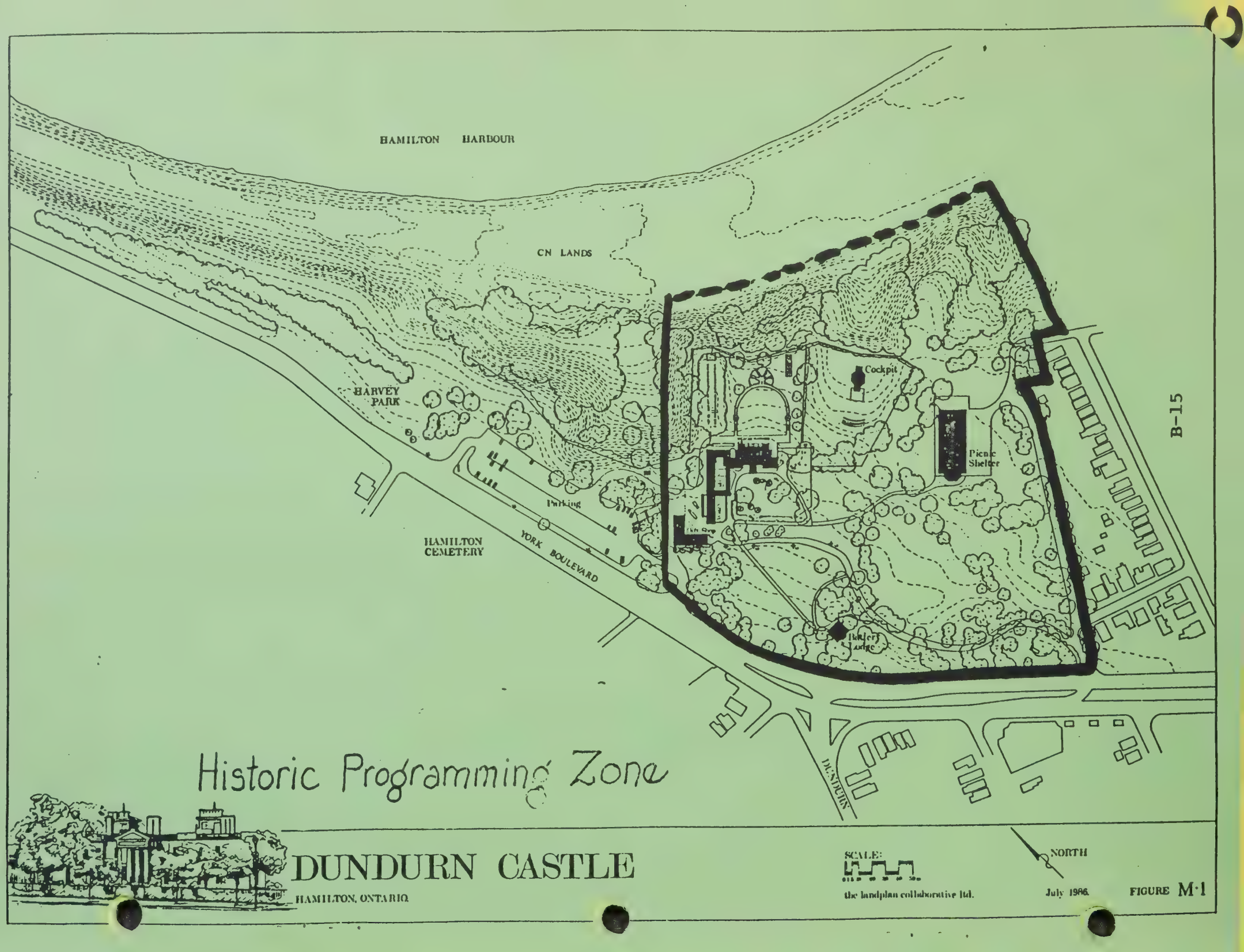
Reservation for use of the pavilion, for events which will satisfy all requirements of this policy, and will not have an attendance exceeding 50 individuals, should be made in writing to the Department of Culture and Recreation. Allocation of the pavilion will be made on a first come, first serve basis.

Historical Programming Zone

A portion of Dundurn Park including the area bounded by the main parking lot and the lot line at Inchbury St., and the property line on the waterfront to York Blvd., including the Castle and Stables, Battery Lodge, the Cockpit, the Gardener's Cottage and Inchbuie will be considered the Historical Programming Zone. (See attached diagram). All of the preceding provisions and regulations will apply in this zone. In addition, any event or programme held wholly or in part in the Historic Programming Zone during operating hours of Dundurn Castle and the Hamilton Military Museum must support the interpretive themes of one or both of the museums.

Gatherings of up to 50 people, which satisfy all other requirements of this policy are exempt from this requirement.

1991 October 30


HAMILTON HARBOUR
CN LANDS
HARVEY PARK
Parking
HAMILTON CEMETERY
YORK BOULEVARD
Cockpit
Picnic Shelter
Historic Programming Zone
B-15
DUNDURN CASTLE
HAMILTON, ONTARIO
SCALE:
NORTH
the landplan collaborative ltd.
July 1986
FIGURE M·1

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1992 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the following properties:

   (a) 660 Upper Paradise Road
   (b) 668 Upper Paradise Road
   (c) 456 Burlington Street East
   (d) 27 Rymal Road West
   (e) 211 Brant Street
   (f) 7 Gerrard Street
   (g) 9 Gerrard Street
   (h) 19 Gerrard Street
   (i) 23 Gerrard Street
   (j) 27 Gerrard Street
   (k) 391 Sherman Avenue North
   (l) 358 Birch Avenue
   (m) 1141 Upper Sherman Avenue
   (n) 1147 Upper Sherman Avenue
   (o) 90 Alpine Avenue
   (p) 390 Limeridge Road East

2.(a) That an increase of one hundred and seventy-five dollars ($175.) be approved under the Community Heritage Trust Fund for a revised loan amount of five hundred and eighty-seven dollars ($587.) for Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over two years; and,

(b) That an increase of one hundred and seventy-five dollars ($175.) be approved under the Designated Property Grant Programme for a revised grant amount of five hundred and eighty-eight dollars ($588.) for Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton.

3.(a) That an increase of one hundred dollars ($100.) be approved under the Community Heritage Trust Fund for a revised loan amount of four hundred and fifty dollars ($450.) for Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over two years; and,

(b) That an increase of one hundred dollars ($100.) be approved under the Designated Property Grant Programme for a revised grant amount of four hundred and fifty dollars ($450.) for Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton.

4.(a) That an increase of two hundred and thirteen dollars ($213.) be approved under the Community Heritage Trust Fund for a revised loan amount of five hundred and fifty dollars ($550.) for P. L. Preston, 223 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over two years; and,

(b) That an increase of two hundred and twelve dollars ($212.) be approved under the Designated Property Grant Programme for a revised grant amount of five hundred and fifty dollars ($550.) for P. L. Preston, 223 Ferguson Avenue South, Hamilton.

5.(a) That an increase of two hundred and thirteen dollars ($213.) be approved under the Community Heritage Trust Fund for a revised loan amount of five hundred and fifty dollars ($550.) for Hugh Caughey, 225 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over two years; and,

(b) That an increase of two hundred and thirteen dollars ($213.) be approved under the Designated Property Grant Programme for a revised grant amount of five hundred and fifty dollars ($550.) for Hugh Caughey, 225 Ferguson Avenue South, Hamilton.

6.(a) That an increase of two hundred and sixty-two dollars ($262.) be approved under the Community Heritage Trust Fund for a revised loan amount of six hundred and twelve dollars ($612.) for Elaine Elson, 227 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over two years; and,

(b) That an increase of two hundred and sixty-three dollars ($263.) be approved under the Designated Property Grant Programme for a revised grant amount of six hundred and thirteen dollars ($613.) for Elaine Elson, 227 Ferguson Avenue South, Hamilton.

7.(a) That Zoning By-law No. 6593 be amended as follows:

Section 2(2)(k)vii

"owner means the person, corporation or other entity registered on title as owner or any person, corporation or other entity having control of the property, including those receiving rents for the property, whether on their own account or as agent or trustee of any other person or entity."

(b) That the required public meeting be arranged.

8.(a) That a purchase order be issued to Braun Nursery, Mount Hope, in the amount of $83,460., including all taxes, plus a 10% contingency allowance of $8,346., being the lowest acceptable of seven tenders received, to provide landscaping, demolition and concrete work, Crown Point West, bounded by Gage Avenue, Main Street, Ottawa Street and the C.N. tracks, Stipeley P.R.I.D.E. Phase II, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Crown Point West/Stipeley P.R.I.D.E. Phase II Account No. CF5200 428902002.

(b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

9.(a) That a purchase order be issued to Aldershot Landscape, Burlington, in the amount of $71,071.54., including all taxes, plus a 10% contingency allowance of $7,107., being the lowest of seven tenders received, to provide landscaping and maintenance, Crown Point West, bounded by Gage Avenue, Main Street, Ottawa Street and the C.N. tracks, Stipeley P.R.I.D.E. Phase II, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Crown Point West/Stipeley P.R.I.D.E. Phase II Account No. CF5200 428902002.

(b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

10.(a) That a purchase order be issued to Cardeen Construction, Stoney Creek, in the amount of $54,775.44, including all taxes, plus a 10% contingency allowance of $5,477., being the lowest of seven tenders received, to provide landscaping, demolition and concrete work, Crown Point West, bounded by Gage Avenue, Main Street, Ottawa Street and the C.N. tracks, Stipeley P.R.I.D.E. Phase II, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Crown Point West/Stipeley P.R.I.D.E. Phase II Account No. CF5200 428902002.

(b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

11.(a) That an Agreement by Owner to Accept compensation for the property of Grace Clara Finn, executed on 1991 November 26 and scheduled for closing on or before 1992 February 25, be accepted and completed. The subject property being Municipal Number 388 Birch Avenue, having a total frontage along the southerly limit of Birch Avenue of 7.0 metres (23.0 feet), more or less, shown as Parts 1 and 2 on Expropriation Plan No. 79837. That the total compensation of $19,500., along with all associated costs be charged to Account Number CF5590 308750001 (Land Acquisition - Enclave Clearance Program).

(b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.

12. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 100 Anchor Road, Hamilton from the construction covenants to the City as contained in City Deed 9495 registered on 1989 September 25 and City Deed 86563 registered on 1991 June 14.

13. That the City of Hamilton accept the sum of $26,800. as cash payment in lieu of the 5% land dedication in connection with "Queenston Heights", Hamilton, being the cash payment required under Section 50 of the Planning Act. The lands of Queenston Heights Subdivision are located east of Donn Avenue and north of Highway No. 8 in the Riverdale East Neighbourhood.

14. That the City Solicitor be directed to prepare a By-law to:

(a) delete Schedule "A" of By-law No. 91-176 and replace it with a revised Schedule "A" to correct a technical error in the dimensions of the lands to be rezoned; and,

(b) amend Section 5 of By-law No. 91-176 by deleting the words "Section 1" in the second line and substituting "Section 2" therefore,

for properties located at 122-126 MacNab Street South and 109, 111, and 123 Charles Street, as shown on the attached map marked as Appendix "A".

15. That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024).

16.(A) That approval be given to Application 25T-88016, Frank Fontana, owner, to establish a draft plan of subdivision on the west side of West Fifth Street south of Limeridge Road West, subject to the following conditions:

(a) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1991 March 12, revised to include a 6.1m walkway between Street "A" and West Fifth Street together with resulting lotting changes, and showing 42 lots and 29 blocks.

(b) That the plan or parts of the plan not receive final approval until road access and municipal services are available to the lands.

(c) That the centre line radius of Street "B" through the "S-bend" curves be increased to a minimum of 200.0m with a minimum 30.0m tangent between the two horizontal curves in order to allow sight distance between the two intersecting streets along Street "B".

(d) That the future extension of Annabelle Street between Blocks 57 and 58 align centre line to centre line with the existing portion of Annabelle Street north of Chester Avenue.

(e) That Street "B" align centre line to centre line with the extension of Annabelle Street south of Chester Avenue as it is shown on Plan 62R-11658 and the road allowance be reduced to 20.0m.

(f) That Street "C" align centre line to centre line with the existing portion of Chesley Street north of Chester Avenue and be established to its full required width.

(g) That the streets and the walkway be dedicated to the City of Hamilton as public highways on the final plan.

(h) That the street widening be reduced to 5.18m in width and be dedicated to the Regional Municipality of Hamilton-Wentworth as public highway on the final plan.

(i) That a 2.0m x 2.0m daylight triangle be established at the corner of Lot 26.

(j) That Blocks 42 and 43 be merged to form a lot.

(k) That Blocks 44 to 64 inclusive be developed only in conjunction with abutting lands.

(l) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

(m) That the final plan conform to the Zoning By-law approved under the Planning Act.

(n) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

(o) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and total area of development and block in the final plan.

(p) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the final plan to the City of Hamilton for park purposes.

(q) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.

(r) That the owner shall erect a sign in accordance with Section XI of the subsequent subdivision agreement, prior to the issuance of a final release by the City of Hamilton.

(s) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(B) That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-88016) Frank Fontana, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

17. That approval be given to application 25T-89038, Westmount Homes, owner, to establish a draft plan of subdivision located to the west of Upper Wentworth Street south of Aquila Place, subject to the following conditions:

(a) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1989 October 23, showing 2 lots and 5 blocks for development with abutting lands.

(b) That the plan not receive final approval until municipal services and road access are available from the lands to the north.

(c) That the street align with the street to be established on the lands to the north and be dedicated to the City of Hamilton as a public highway on the final plan.

(d) That the abutting portion of Crerar Drive extension is to be established to its full required width, prior to, or in conjunction with, the approval of the final plan.

(e) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

(f) That the final plan conform to the zoning by-law approved under The Planning Act.

(g) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

(h) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block on the final plan.

(i) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the final plan to the City of Hamilton for park purposes.

(j) That any dead-ends of the road allowance created by the plan be terminated in 0.3 reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

(k) That Blocks 3 to 7 inclusive be developed only in conjunction with abutting lands.

(l) That the owner shall erect a sign in accordance with Section XI of the subsequent subdivision agreement prior to the issuance of a final release by the City of Hamilton.

(m) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

18. That the City Clerk be requested to:

(a) advise the Ministers of Municipal Affairs and Natural Resources that with respect to the Province's proposed Policy Statement on Wetlands:

(i) that policies 4 and 5 be modified to state that compatible uses will be permitted which do not threaten the wetland functions of nearby Provincially Significant Wetlands; and,

(ii) that with this modification, the City supports the proposed Policy Statement.

(b) forward a copy of the report dated 1991 November 21, as prepared by the Commissioner of Planning and Development respecting the proposed Provincial Policy Statement on Wetlands and as approved by the Planning and Development Committee at its meeting held 1992 January 8, to the Ministers of Municipal Affairs and Natural Resources along with the above-noted resolution.

19.(a) That Schedule 'B' of By-law No. 86-73, as amended, appointing the Downtown Promenade B.I.A. Board of Management, be repealed and the following names substituted:

Marcel Mongeon	Royal Connaught Hotel
Ray Harris	Harris & Henderson
Daniel Marissen	Durward Jones Barkwell & Co.
Paul Pappas	Grapes & Things
Jordan Livingston	Jordan Livingston Furs
Reggie Titian	Reggie's Music & Sound
Gary Evans/G. Bullock	The Spectator
Wilf Gerofsky	Leeds of Hamilton
Greg Gouthreau	Hamilton Holiday Inn
Al Spadero	Central Guaranty Trust
David Lee	South Side
Sam Scime	C.I.B.C.
Tom Tarpos	Uncle Tommy's
Marvin Caplan	Marvin Caplan Gentlemen's Apparel

(b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-73 pursuant to (a) above.

20.(a) That Schedule 'B' of By-law No. 86-212, as amended, appointing the International Village B.I.A. Board of Management, be repealed and the following names substituted:

Agostino Ammendolia	Ammendolia Real Estate
Bernie Martin	Rehak's Pastry Shop
Chris Merritt	Manager, C.I.B.C.
Dagmar Rudzewitsch	Seaway Travel
Wolfgang Schoen	Black Forest End
Margaret Tsangarakis	It's All Greek To Me
Jim Lyons	The Card Shark
Shakiel Baig	Rock 'N Tees
Bob Siromsky	Bad Bob's

(b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-212 pursuant to (a) above.

21.(a) That Schedule 'A' of By-law 86-99, as amended, appointing the Ward Aldermen in which the Ottawa Street B.I.A. is located to the Board of Management, be repealed and the following Ward Aldermen substituted:

Alderman D. Drury
Alderman B. Morelli
Alderman G. Copps
Alderman D. Wilson

(b) That, Schedule 'B' of By-law 86-99, as amended, appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

John Gut	Textile Centre
Gord Culshaw	Culshaw's Cakes/A&B Catering
Lynne Zarubiak	Deblynn's Hair Salon
Joan Stafford	Joan's Trims & Laces
John Driscoll	Price Busters Discount
Manny Freitas	Wood's Redi-to-Finish Furniture
Clive Eynon	D & E Good Home Bakery
Greta Munt	Greta's Flair

(c) That, the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law No. 86-99 pursuant to (a) and (b) above.

22.(a) That the Building and Law Departments be authorized to pursue all avenues of enforcement with respect to the unauthorized demolition of 74 Charlton Avenue East by its owner St. Elizabeth Home Society (Hamilton, Ontario) or St. Elizabeth Housing Corporation, or their principals or directors.

(b) That all enforcement procedures be co-ordinated with any action taken by the Niagara Escarpment Commission or the Ministry of the Environment.

23. That the City appear before the Ontario Municipal Board in support of the decision by the Committee of Adjustment on 1991 July 31, which denied an application for a variance to allow an addition to the building at 848 Fennell Avenue East, constructed contrary to provisions of Zoning By-law No. 6593 as amended.

24. That the City apply to the Ontario Municipal Board to rehear its decision on a variance request to the Zoning By-law by the owner of property at 166 Wentworth Street South.

25. That the condition imposed by City Council on 1989 December 12 for the issuance of a demolition permit for 65 Markland Street which applied Section 33(6) of the Planning Act to Lots 5 and 6, Registered Plan 40, formerly known as 65 Markland Street, be removed.

26. That the projects at Stanley Woods/Stanley Place, 250 and 300 Limeridge Road East, be exempt from connecting all rainwater leaders to storm sewers as required by By-law No. 80-245 and be accepted as built.

27. That the Building Department be directed to carry out the work of demolition at property municipally known as 293 Tragina Avenue North in the City of Hamilton as required by an Order to Comply issued pursuant to The Ontario Building Code Act, R.S.O., 1980, Chapter 51 dated 1992 January 2, at a cost not to exceed $5,000.

28.(a) That the 1992 Operating Budget of the Ottawa Street B.I.A., attached hereto and marked as Appendix "B", be approved in the amount of eighty-five thousand dollars ($85,000.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1992 Budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1992 be as follows:

February 01	$42,500.
June 01	$21,250.
October 01	$21,250.

1991 Levy Arrears will be deducted from the first payment for 1992.

29.(a) That the 1992 Operating Budget of the Downtown Promenade B.I.A., attached hereto and marked as Appendix "C", be approved in the amount of one hundred and ninety-nine thousand dollars ($199,000.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1992 Budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1992 be as follows:

January 01	$16,583.33	July 01	$16,583.33
February 01	$16,583.33	August 01	$16,583.33
March 01	$16,583.33	September 01	$16,583.34
April 01	$16,583.33	October 01	$16,583.34
May 01	$16,583.33	November 01	$16,583.34
June 01	$16,583.33	December 01	$16,583.34

Levy Arrears will be deducted from the first payment for 1992.

30.(a) That the 1992 Operating Budget of the International Village B.I.A., attached hereto and marked as Appendix "D", be approved in the amount of fifty-nine thousand, three hundred and sixty dollars ($59,360.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1992 Budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1992 be as follows:

February 01	$9,893.33
April 01	$9,893.33
June 01	$9,893.33
August 01	$9,893.33
October 01	$9,893.33
December 01	$9,893.34

1991 Levy Arrears will be deducted from the first payments for 1992.

31.(a) That the Public Works Department, Community Renewal Section, be authorized to make application to the Ministry of Municipal Affairs, Community Development Branch for matching funds under the Programme for Renewal, Improvement, Development and Economic Revitalization (P.R.I.D.E.) to a maximum of four hundred thousand dollars ($400,000.) for portions of the North End East and West Neighbourhoods in accordance with the map attached hereto and marked as Appendix "E"; and,

(b) That subject to the receipt of an allocation from the Ministry of Municipal Affairs under the P.R.I.D.E. Programme, the City's share of the project to a maximum of four hundred thousand dollars ($400,000.) matched with the Provincial share of four hundred thousand dollars ($400,000.) equalling a total project cost of eight hundred thousand dollars ($800,000.), be provided through existing Capital Budget funding for Pier 4 Park from the Parks Development Section of the Public Works Department; and,

(c) That portions of the North End East and West Neighbourhoods be designated as one Community Improvement Project Area in accordance with the map attached hereto and marked as Appendix "E"; and,

(d) That the Public Works Department, Community Renewal Section with input from staff, Ward Aldermen and citizens, be authorized to prepare the Community Improvement Plan for approval by City Council and the Ministry of Municipal Affairs, Community Development Branch; and,

(e) That the Law Department be authorized to prepare the necessary by-laws to adopt the North End Community Improvement Project Area and Community Improvement Plan in accordance with (c) and (d) above.

32.(a) That the actions of the Director of Public Works to spend an additional one hundred thousand dollars ($100,000.) in sidewalk reconstruction work, rather than one hundred thousand dollars ($100,000.) in trees and grates in order to comply with the requirements to spend the P.R.I.D.E. Anti-Recession Programme funding by 1992 January 31 be approved; and,

(b) That the P.R.I.D.E. Anti-Recession proposed Project List and Estimated Expenditures be amended as follows:

	Original Estimates of Expenditure	**Newly Proposed List of Expenditures**
Wheelchair Ramps	$200,000.	$160,000.
Lights in Beasley Park	N/A	$ 40,000.
Hard-Surface Treatment to Kelly and Elgin Streets in the Central/Beasley Neighbourhood	$100,000.	$100,000.
Trees and Grates	$100,000.	N/A
Sidewalk Reconstruction	$400,000.	$500,000.

(c) That the Finance and Administration Committee be requested to fund the additional one hundred thousand dollars ($100,000.) for hard surface treatment work to Kelly and Elgin Streets in the Central/Beasley Neighbourhood from the one hundred thousand dollars ($100,000.) unused funding in the 1991 Road and Sidewalk Reconstruction Programme which has been offset from the P.R.I.D.E. Anti-Recession Programme.

33. For the information of City Council, the following members of the Planning and Development Committee have been appointed to the following sub-committees which fall under the jurisdiction of the Planning and Development Committee:

(a) **Business Land Use Advisory Board**

Alderman Drury

(b) **Central Area Plan Implementation Committee**

Alderman McCulloch

(c) **Downtown Action Plan Co-ordinating Committee**

Alderman McCulloch

(d) **Urban Design Committee**

Alderman Eisenberger

34. That Item 9 of the Sixth Report for 1991 of the Planning and Development Committee approved by City Council on 1991 April 9th, respecting Zoning Application ZA-89-95, for property at 323 and 325 Wentworth Street North, be amended as follows:

(a) amend Item 9(a)(i)(2) by adding the following statement to the end of the sentence:- "and the required manoeuvring will be located off-site."

(b) add the following new clause as Item 9(a)(i)(3):

"That notwithstanding Section 18A.(14) of By-law No. 6593, one (1) parking space will be located in the required front yard and the required manoeuvring will be located off-site."

(c) add the following new clause as Item 9(a)(i)(4):

"That notwithstanding Section 18(3)(vi)(c)(i) of By-law No. 6593, the open stairway to the second level may project not more than 1.09m into the required rear yard."

35. That approval be given to amended Zoning Application 91-47, Hamilton Region Conservation Authority, owner, requesting a modification to the established "AA" (Agricultural) District regulations, to permit the establishment of a penny arcade containing not more thirty machines only within the existing building (forming part of the Adventure Village Complex), for part of the property located at 100 Confederation Drive, as shown on the attached map marked as Appendix "F", on the following basis:

(a) That the "AA" (Agricultural) District regulations, as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 7A(1) of By-law No. 6593, the following accessory commercial use shall be permitted only within the existing building:

(1.) a penny arcade having a maximum of thirty machines.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1253, and that the subject lands on Zoning District Map E-101 be notated S-1253;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-101 for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

36.(a) That approval be given to Official Plan Amendment No.104, requesting a site specific redesignation from "Commercial" to "Residential", for property municipally known as 623 Upper James Street, and that the City Solicitor be directed to prepare a by-law for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That approval be given to Zoning Application 91-49, Kingdom Properties Inc., prospective owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges and Clubs, etc.) District, modified for Block "1" and a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for Block "2", to permit the development of the subject lands for a five storey, 34 unit apartment building, for property located at 623 Upper James Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "G", on the following basis:

(i) That Block "1" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges and Clubs, etc.) District;

(ii) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:

(1.) That notwithstanding Section 11.(2)(ii), the maximum building height shall not exceed 5 storeys;

(2.) That notwithstanding Section 11.(3)(ii)(b), a minimum 3.4 m northerly side yard shall be provided and maintained;

(3.) That notwithstanding Section 11.(3)(ii)(b), a minimum 3.0 m southerly side yard shall be provided and maintained;

(4.) That notwithstanding Section 11.(5), a maximum of 34 dwelling units shall be permitted;

(5.) That notwithstanding Section 11.(6), a minimum of 575 m^2 of landscaped area shall be provided and maintained;

(6.) That notwithstanding Section 18A(1), a minimum of 41 parking spaces shall be provided and maintained.

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1254, and that the subject lands on Zoning District Map E-7 be notated S-1254;

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-7 for presentation to City Council;

(v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No.104, by the Regional Municipality of Hamilton-Wentworth.

(c) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of site plans for Blocks "1" and "2".

37.(a) That approval be given to Zoning Application 91-50 Ritlyn Investments Ltd., owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two - Family Dwellings, Townhouses, etc.) District regulations, to permit a parking lot in conjunction with the Wilson Medical Centre at 136 Wilson Street, for property located at 95 Mary Street, as shown on the attached map marked as Appendix "H", on the following basis:

(i) That the "D" (Urban Protected Residential - One and Two - Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

That notwithstanding Section 10.(1) of By-Law No. 6593 a parking lot shall be permitted only accessory to the use of land located at Nos. 118-136 Wilson Street, subject to the following conditions;

(a) That no vehicular access to or egress from Wilson Street shall be permitted;

(b) That a minimum 1.5m wide planting strip shall be provided and maintained along the northerly lot line, the westerly lot line, within the City owned boulevard lands to the south and east, and the easterly lot line, except for that portion required for a driveway access onto Mary Street;

(c) That a visual barrier not less than 1.2m in height and not more than 2.0m in height shall be provided and maintained along the northerly and westerly lot lines;

(ii) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-1255, and that the subject lands on Zoning District Map E-4 be notated S-1255;

(iii) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-Law No. 6593 and Zoning District Map E-4 for presentation to City Council;

(iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the amending By-Law not be forwarded for passage by City Council until such time as the applicant has:

(i) Applied for and received approval of a commercial boulevard parking agreement with the City respecting the Wilson Street road allowance; and,

(ii) Applied for and received site plan approval including the adjacent City owned lands, and registers the site plan on title.

38.(a) That approval be given to amended Zoning Application 91-53, Kids Care Oncology Central West, prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "1" and a modification to the "H" (Community Shopping and Commercial, etc.) District regulations for Block "2", to permit the development of the subject lands for a three storey "Ronald McDonald House" (Kids Oncology Centre), for the lands on the west side of Cootes Drive, north of Main Street West, shown as Blocks "1" and "2" on the attached map marked as Appendix "I", on the following basis:

(i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;

(ii) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:

(1.) That notwithstanding Section 14(1) of Zoning By-law No. 6593, the following residential uses shall be permitted within the same building:

(a) a lodging house not for gain with separate cooking facilities having a maximum of 15 lodging rooms; and,

(b) one accessory Class "A" dwelling unit.

(2.) That notwithstanding Section 14(3)(ii) of Zoning By-law No. 6593, a minimum 1.5 m wide easterly side yard shall be provided and maintained;

(3.) That notwithstanding Section 14(3)(iii) of Zoning By-law 6593, a rear yard of a depth of at least 1.0 m shall be provided and maintained;

(4.) That notwithstanding Sections 18A.(1)(a) and (b), a minimum of one parking space for each lodging room and one parking space for the accessory dwelling unit shall be provided and maintained; and,

(5.) That Sections 18A.(11) and (12) shall not apply.

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1256, and the subject lands on Zoning District Maps W-45 and W-46 be notated S-1256;

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-45 and W-46 for presentation to City Council;

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(vi) That the approved Ainslie Wood North Neighbourhood Plan be amended by redesignating the subject lands from "Utilities" to "Low Density Apartments".

(b) That Site Plan Control By-Law No. 79-275, as amended by By-law No. 87-223, be amended by adding the subject lands to Schedule "A".

39.(a) That approval be given to Zoning Application ZA-91-56, 943937 Ontario Inc. (J. LeCluse), prospective owner, for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations to permit two car dealerships, including accessory auto body and paint shops, for lands located on the east side of Upper James Street, south of Regina Drive, as shown on the attached map marked as Appendix "J", on the following basis:

(i) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as set out under Section 13 of Zoning By-law No. 6593 as amended by By-law Nos. 90-145 and 88-135, applicable to the subject lands, be further modified to include the following variances as special provisions:

(1.) That notwithstanding subsection 13(1) of Zoning By-law No. 6593, the following uses shall also be permitted:

(a) New and used car dealerships, including ancillary automobile body/fender repair shops and paint shops.

(b) A business identification sign that is a ground sign, subject to the following requirements:

(i) Not more than one sign shall be permitted for each car dealership.

(ii) An area of vertical projection of not more than 0.1 m^2 per 0.3 m of street frontage per car dealership on Upper James Street, shall be permitted.

(iii) A height of at least 3.0 m shall be provided from the ground to the bottom of the sign.

(iv) The supporting structure shall be designed and constructed so as not to obstruct the view from any direction to a greater degree than is reasonably necessary.

(v) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.

(2.) That notwithstanding subsection 13(3) of Zoning By-law No. 6593, a column and trellis structure shall be provided and maintained at the northwest corner of the property on the following basis:

(a) Said structure shall be parallel to the full length of the daylight triangle and extend a minimum of 15.0m from each end thereof along the northerly and westerly lot lines,

(b) Said structure shall be setback a minimum of 6.0m from the property line(s).

(3.) That a minimum 3.0m wide landscaped strip shall be provided and maintained along the northerly and westerly lot lines, except:

(a) For any area used for vehicular access,

(b) That a minimum 6.0m wide landscaped strip shall be provided and maintained adjacent to the daylight corner.

(ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1069b, and that the subject lands on Zoning District Map E-9D be notated S-1069b;

(iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council;

(iv) That the proposed modification in zoning is in compliance with the Official Plan for the Hamilton Planning Area.

(b) That the amending by-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan incorporating the "Urban Design Guidelines for Upper James Street Corridor", and which is registered on title.

40. That amended Zoning Application 91-40, Frank Toth, Tony Di Franco and Angelo Coca, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit single-family development, on property located at 478 and 488 Rymal Road East, as shown on the attached map marked as Appendix "K", be denied for the following reasons:

(a) It conflicts with the intent of the approved Chappel East Neighbourhood Plan which designates the subject lands for "Larger Lots" under the " Single and Double Residential" designation;

(b) Approval of the application would undermine the intent of the approved Neighbourhood Plan and alter the established and future intended character of the area, in that this is one of the few areas in the City identified for "Larger Lots". The protection of these lands would support Council's intent to provide for "a variety of housing styles, types and densities...".

Accordingly, approval of the application would encourage other similar applications which, if approved, would jeopardize the objective of providing for alternative single-family development on "Larger Lots".

41. That leave be granted to introduce the following Bills:

(a) Bill C-3 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 27 Rymal Road West.

(b) Bill C-4 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 234 MacNab Street South.

(c) Bill C-5 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 49 Holly Avenue.

(d) Bill C-6 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 1062 and 1088 Upper Paradise Road.

(e) Bill C-7 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of the proposed extension of Upper Wentworth Street, in the area south of Rymal Road East.

(f) Bill C-8 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 91-128 respecting lands located at Municipal Nos. 837, 845 and 867 Rymal Road East.

(g) Bill C-9 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1100 Limeridge Road East.

(h) Bill C-10 A By-law to repeal Zoning By-law No. 91-144 respecting land located at Municipal No. 402 Upper Wentworth Street (formerly Inverness Public School).

(i) Bill C-11 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area north of Rymal Road East and east of the Hydro Right-of-Way.

(j) Bill C-12 A By-law to designate land located at Municipal No. 235 Bowman Street as property of Historic and Architectural Value and Interest.

(k) Bill C-13 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 952 and 954 Concession Street.

(l) Bill C-14 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 84-103 respecting lands located at Municipal Nos. 41-45 Cathcart Street.

(m) Bill C-15 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 773 Lawrence Road.

(n) Bill C-16 A By-law to establish Site Plan Control respecting land located at Municipal No. 773 Lawrence Road.

(o) Bill C-17 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 91-176 respecting lands located at Municipal Nos. 122-126 MacNab Street South, 109, 111 and 123 Charles Street and 40 and 42 Bold Street.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts
Secretary
1992 January 8



Legend

Subject Properties

Appendix "A" as referred to in Section 14 of the FIRST Report for 1992 of the Planning and Development Committee

OTTAWA STREET B.I.A. PROPOSED 1992 BUDGET

Budget Item		Total $	%
Rent			
12 months @ $470 + 7% GST		6,050	7.12
Realty taxes (yearly)		1,200	1.41
Utilities			
Hydro - office, 12 months @ $106.25		1,275	1.50
Telephone - 2 lines @ 47.25, 12 months		1,135	1.33
- long distance calls, 12 months		490	.58
Insurance			
Total coverage includes: Liability, vandalism fire, computers, office equipment and special events		800	.94
Office Supplies			
Paper, pens, letterhead, capital newsletters, postage and sundries		1,750	2.06
Office Equipment			
Photocopier			
Expenses	$1,100.00		
Service Contracts	$1,000.00		
less: revenue from merchants	$1,000.00		
		1,100	1.29
Typewriters			
2 service contracts		500	.59
Wages			
Manager's Contract		17,000	20.00
Administrative Assistant Contract		6,000	7.06
Advertising		15,000	17.65
Beautification			
Street Cleaner's Contract		10,000	11.76
Street Cleaner supplies - bags, brooms, etc.		1,000	1.18
Garbage Removal		1,200	1.41
Lighting Secondary			
Maintenance & Hydro for lights in trees		4,500	5.29
Other Costs include:			
Bank Charges	250 .30		
Workers Compensation	100 .12		
Yearly audit of books	650 .76		
		1,000	1.18
Contingency Fund 17.65 percent		15,000	17.65
Total		85,000	100.00

Appendix "B" as referred to in Section 28(a) of the FIRST Report for 1992 of the Planning and Development Committee

Appendix "C" as referred to in Section 29(a) of the FIRST Report for 1992 of the Planning and Development Committee

PROPOSED BUDGET FOR 1992

		%
Revenue:		
Levy	199,000	100
Expense:		
Holdback for arrears/reserve/ adjustments	58,506	29.4
Fees/Admin.	65,800	33.1
Projects/Media/ Special Programs	74,694	37.5

Notes: -In Short Term Deposits there is a reserve of $17,076.15 current to November 30th.

-This is a restricted account to be used for arrears, overages, or adjustments. As in 1991, the budget has not been increased, therefore the mill rate should remain at approximately the same value.

PROPOSED PROJECTS FOR 1992

Relational Database Development
Economic Development Initiative with Co-op student

Flower Planter maintenance

New Year's Eve 1991/92
Annual Bed Race
Easter

Annual Tray Race
Fit Day
Music in the City series:
-Canada Day -CMW -Aquafest
Pumpkin Patch
Christmas
Town Crier
Promotion-General

Appendix "D" as referred to in Section 30(a) of the FIRST Report for 1992 of the Planning and Development Committee

Approved

Hamilton's INTERNATIONAL Village

King Street East between Wellington and Mary

~~Proposed~~ Budget
January 1 to December 31, 1992

BIA OPERATIONS	Cost	*Recoverable From Grant	Net Cost
RENT	$3,600.00	$1,200.00	$2,400.00
UTILITIES	1,400.00	900.00	500.00
EQUIPMENT RENTAL	480.00	600.00	(120.00)
OFFICE SUPPLIES/ POSTAGE	1,500.00	960.00	540.00
BANK CHARGES	.00	150.00	(150.00)
	$6,980.00	$3,810.00	$3,170.00
SALARIES			
EXECUTIVE DIRECTOR	$20,200.00	$7,280.00	$12,920.00
WAGE COSTS	2,048.00	738.00	1,310.00
	$22,248.00	$8,018.00	$14,230.00
INSURANCE & LIABILITY	$ 660.00		$ 660.00
AUDIT FEES	300.00		300.00
ADVERTISING/PROMO	40,000.00		40,000.00
CHRISTMAS LIGHT GRANT	.	$ 1,000.00	(1,000.00)
	$70,188.00	$12,828.00	$57,360.00
TRAINING FEE TO BIA FROM GRANT	.	$ 3000.00	($ 3000.00)
	$70,188.00	$15,828.00	$54,360.00
			**10,000.00
			***(5,000.00)
LEVY REQUIREMENT			$59,360.00

* Factored into this Budget is the Grant completed March 1992. A second will be applied for to run June to Dec. 1992.

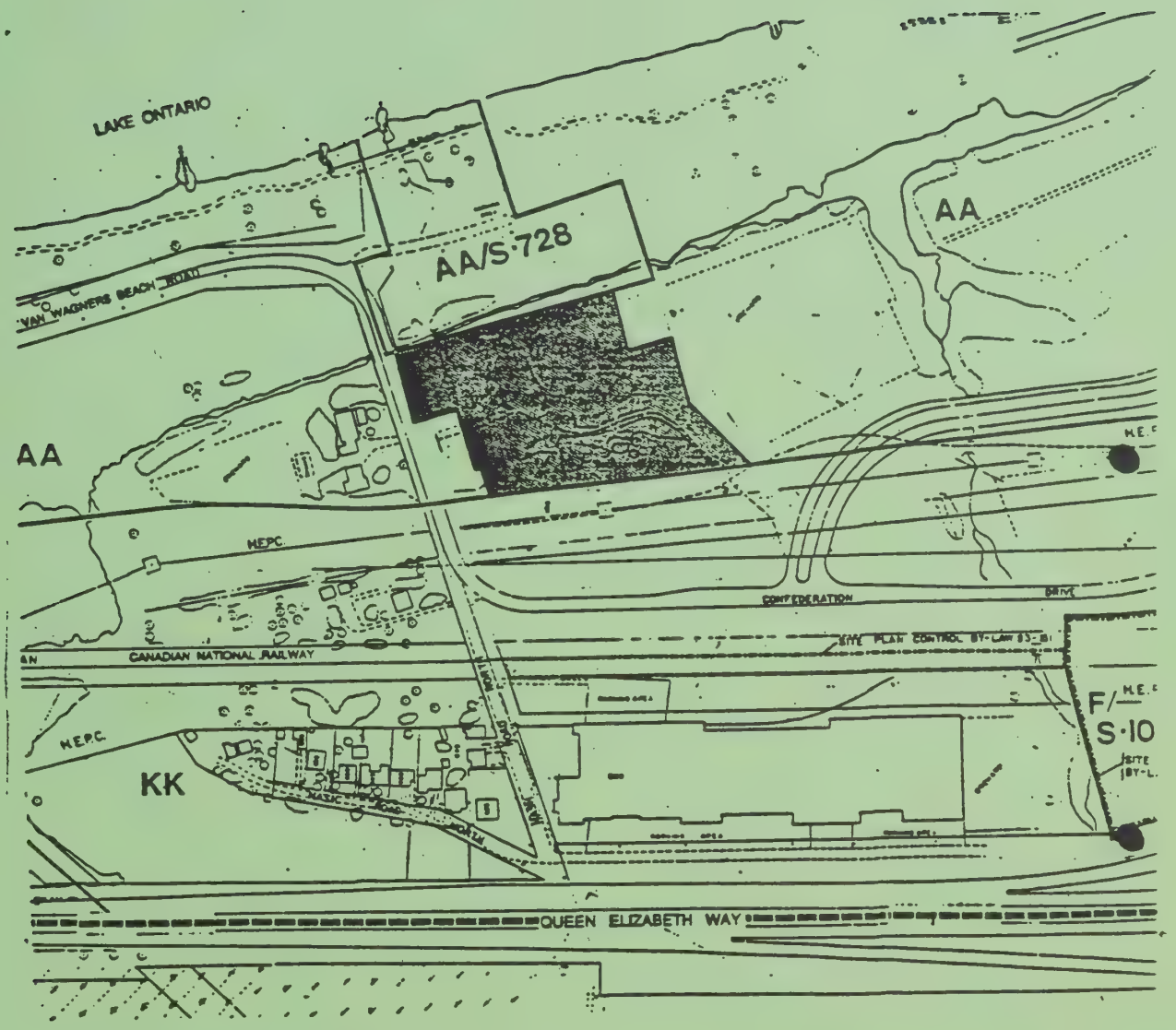
** Although a hold-back at January 1992 - as collected, forwarded. Allowance for 1991 Arrears.

*** Arrears collectible 1990.



NORTH END EAST AND WEST COMMUNITY IMPROVEMENT PROJECT AREA

Appendix "E" as referred to in Section 31(a)&(c) of the FIRST Report for 1992 of the Planning and Development Committee

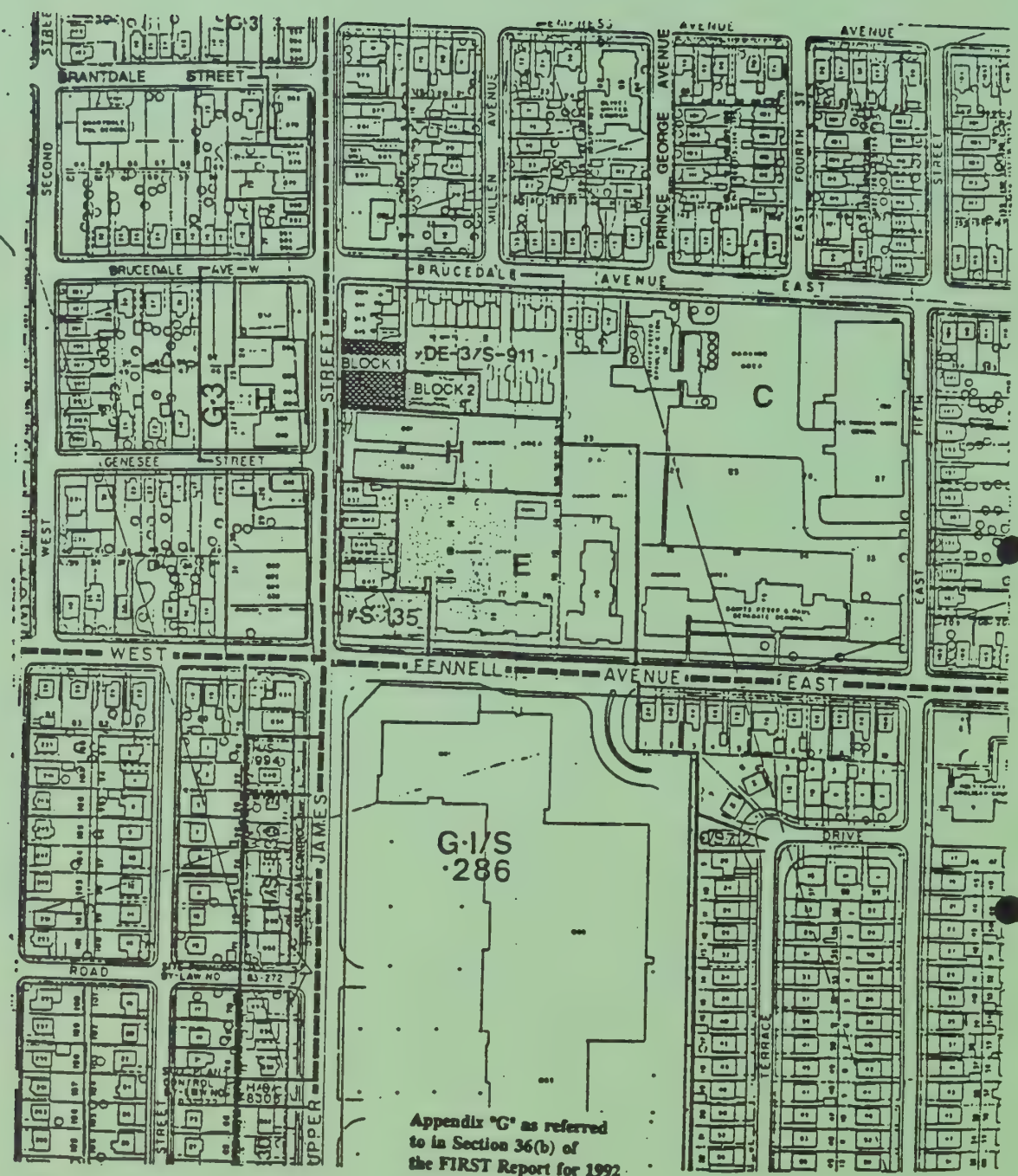


Appendix "F" as referred to in Section 35 of the FIRST Report for 1992 of the Planning and Development Committee

ZA91-47

Legend

Site of the Application



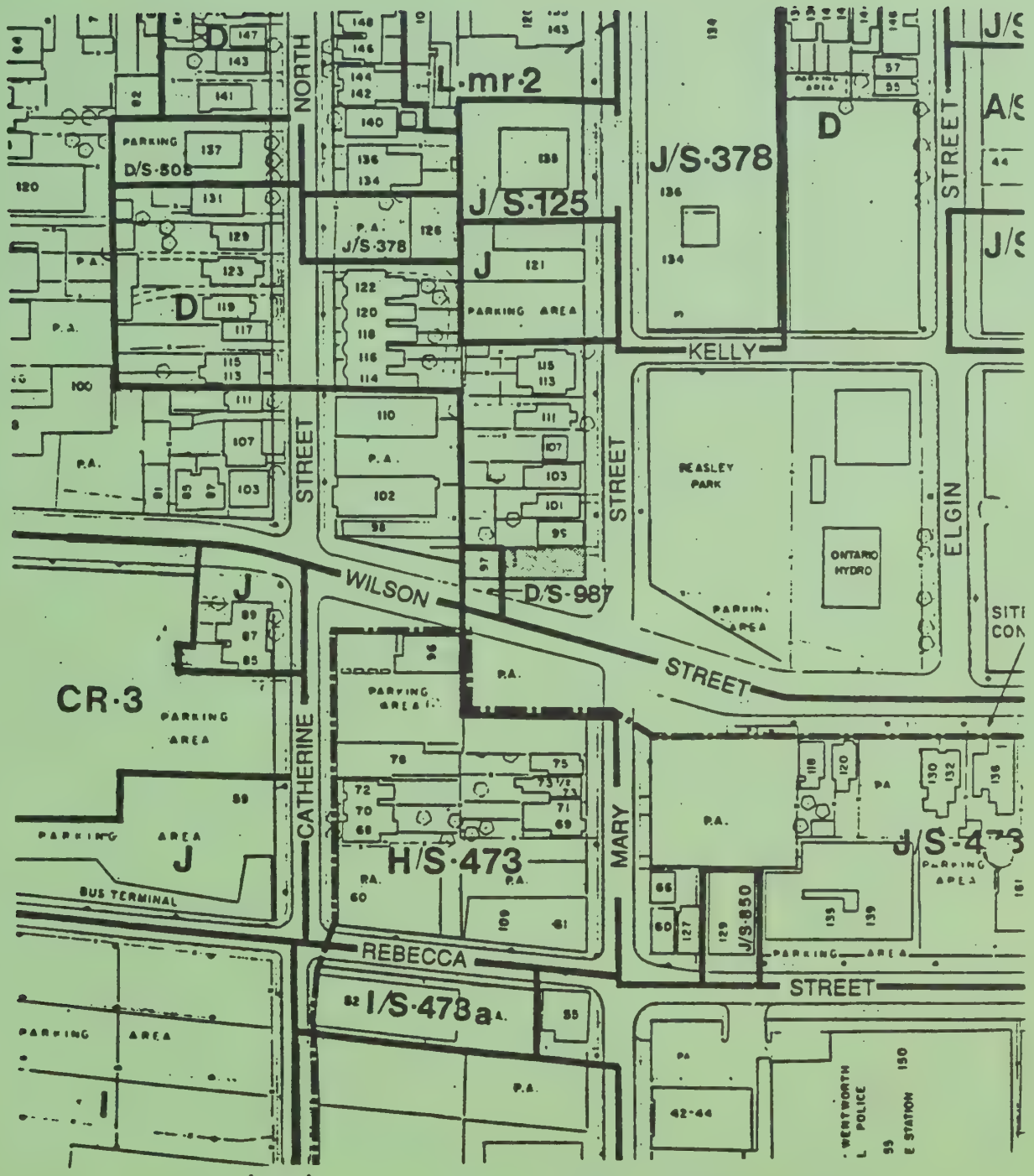
Appendix "G" as referred to in Section 36(b) of the FIRST Report for 1992 of the Planning and Development Committee

Legend

BLOCK 1 — Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.

BLOCK 2 — Modification to the "E" (Multiple Dwellings, Lodges, Clubs etc.) District.

ZA 91-49

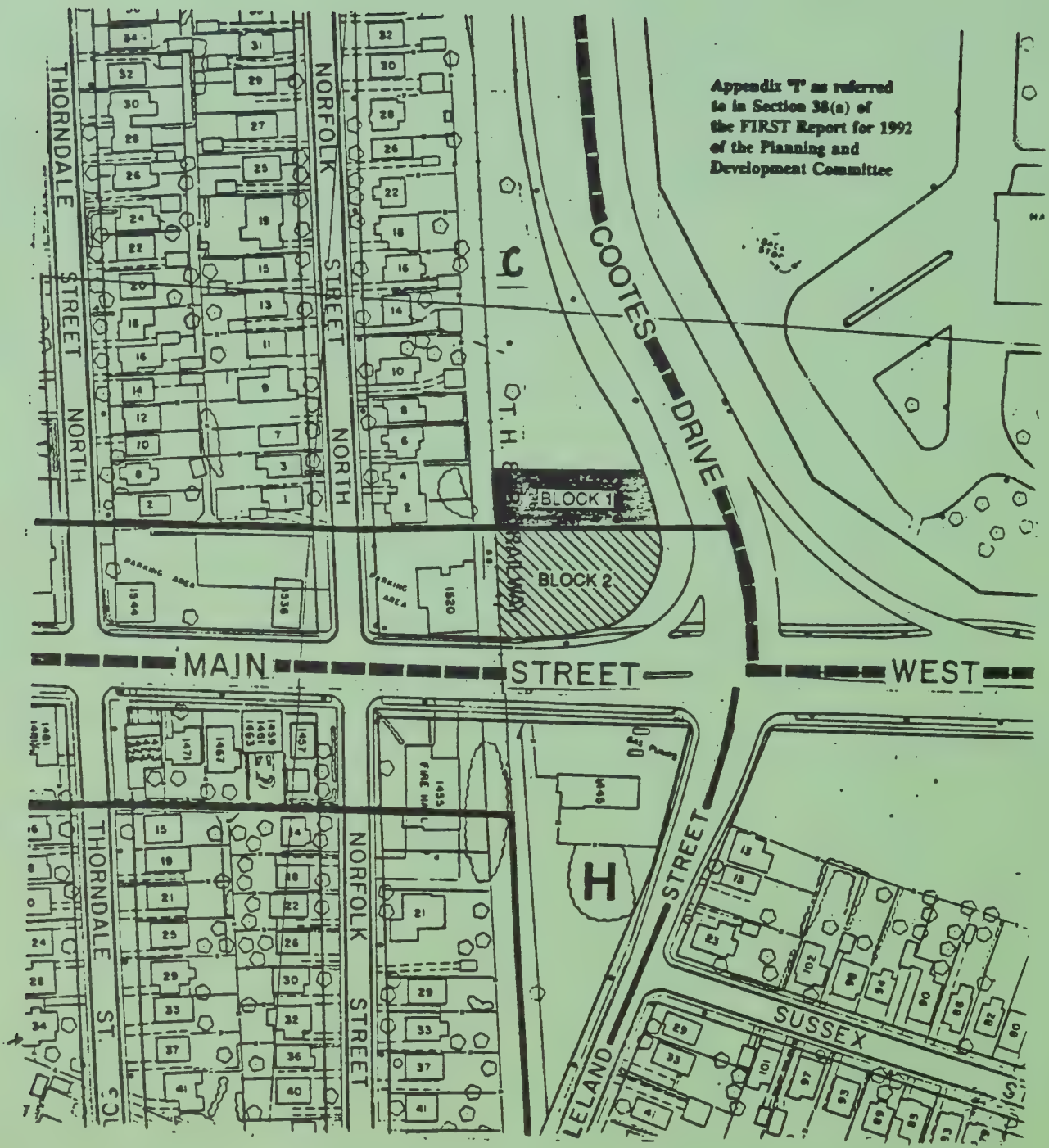


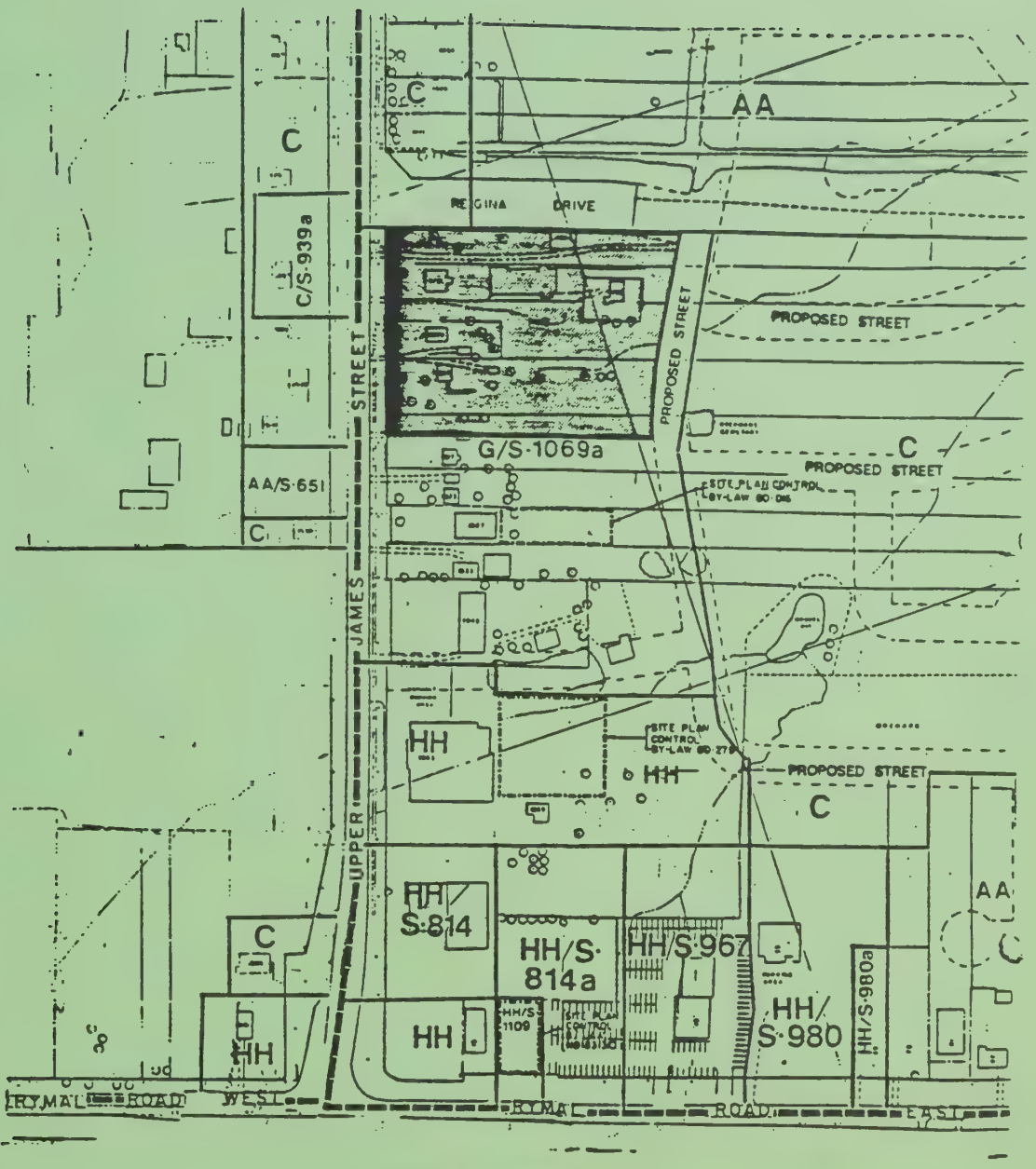
Legend

Site of the Application

Appendix "H" as referred to in Section 37(a) of the FIRST Report for 1992 of the Planning and Development Committee

ZA 91-50


Appendix "I" as referred to in Section 38(a) of the FIRST Report for 1992 of the Planning and Development Committee
COOTES DRIVE
THORNDALE STREET NORTH
NORFOLK STREET NORTH
T. H.
BLOCK 1
BLOCK 2
MAIN STREET WEST
THORNDALE ST.
NORFOLK STREET
LELAND STREET
SUSSEX
H
Legend
BLOCK 1
Change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified.
BLOCK 2
Modification to the "H" (Community Shopping and Commercial, etc.) District.
ZA 91-53

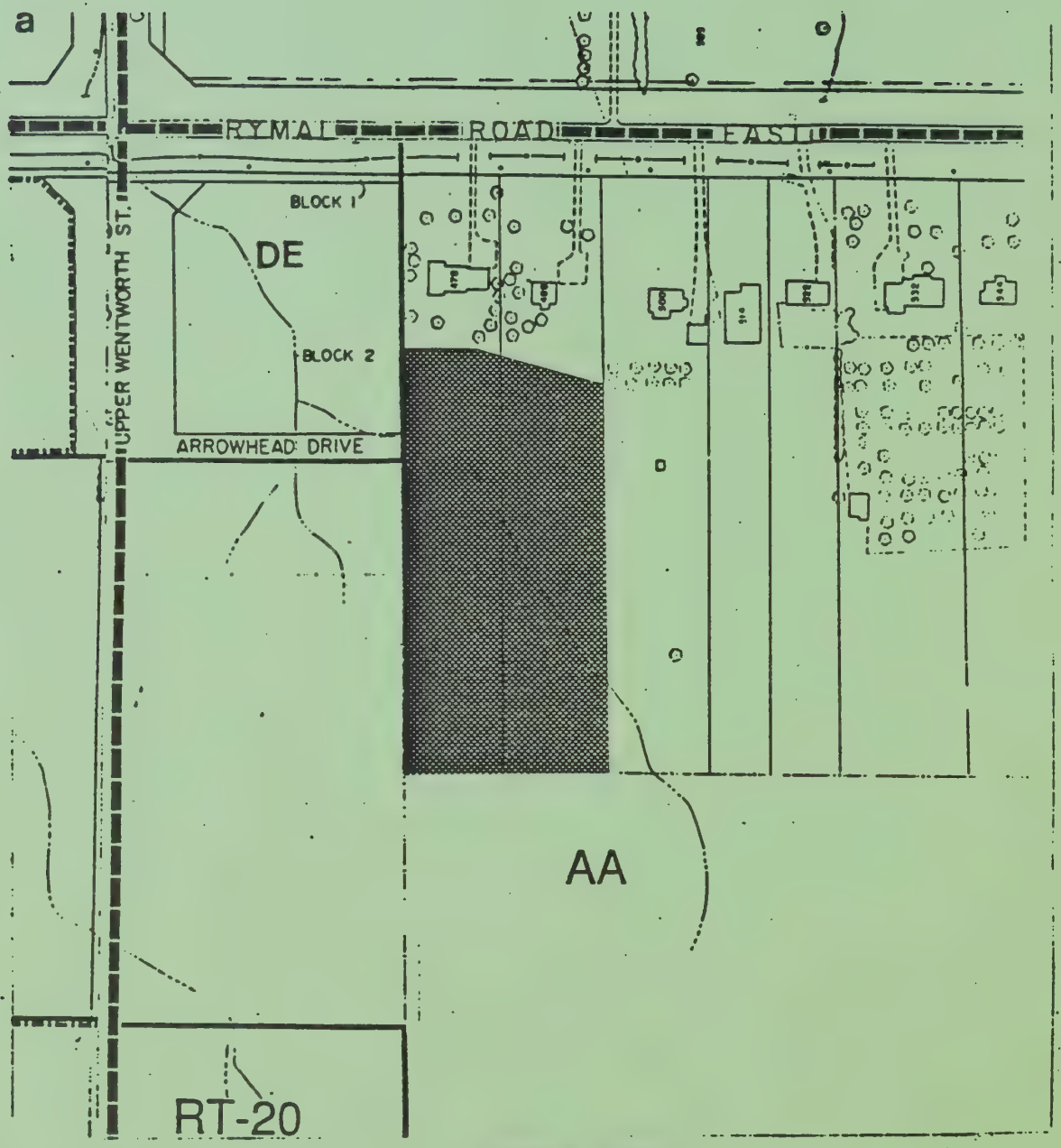


Appendix "J" as referred to in Section 39(a) of the FIRST Report for 1992 of the Planning and Development Committee

Legend

Site of the Application

ZA91-56



Appendix "K" as referred to in Section 40 of the FIRST Report for 1992 of the Planning and Development Committee

Legend

Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

ZA91-40

E

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **NINTH** Report for 1991 and respectfully recommends:

1. That the Cab Driver Licence application of Paul Bergie, 155 Market Street #208, Hamilton be denied.

   For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1991 December 11 recommended that the foregoing licence application be denied on the grounds of the applicant's extensive criminal and driving record. (Further information can be obtained from the Secretary.)

2. That the appeal by Craig Chudyk, 135 Central Drive, Ancaster to remain on the Taxicab Priority List be denied.

   Mr. Chudyk appeared before the City of Hamilton Licensing Committee on 1991 December 11 and submitted that he failed to renew his name on the Taxicab Priority List by the 1991 September 30 deadline because his courtesy reminder letter had been delayed in the mail.

   The Committee considered Mr. Chudyk's appeal and noted that the reminder letter was sent as a courtesy only and that it was the applicant's responsibility to renew his name on the list as provided for in the By-law 89-249. It was also noted that Mr. Chudyk had renewed his name on the list within the required time period and paid the fee in the previous year.

   The Licensing Committee concluded that the applicant had knowledge of the date for renewal on the Taxicab Priority List and simply forgot to renew. The Committee did not consider Mr. Chudyk's submission to be adequate justification to remain on the Taxicab Priority List and therefore made the foregoing recommendation.

3. That the appeal by Grant Inouye, 82 Charlton Avenue East #12, Hamilton for reinstatement on the Taxicab Priority List be denied.

Mr. Inouye appeared before the City of Hamilton Licensing Committee on 1991 December 11 and submitted that he had not received notice of the requirement to pay a fee and to renew his name on the Taxicab Priority List for either 1990 or 1991.

The Committee was advised that letters had been sent to Mr. Inouye but that he had changed his address and failed to notify the Licence Division of such change. When Mr. Inouye eventually notified the City of his change of address a courtesy reminder letter was sent to him which Mr. Inouye said he never received.

After consideration the City of Hamilton Licensing Committee made the foregoing decision on the grounds that Mr. Inouye did not take appropriate action to advise the Licence Division of his change of address, that over a year had elapsed since the initial renewal date, and that Mr. Inouye did not update his address with the City despite the fact that he had maintained an ongoing relationship with the City of Hamilton as a taxi plate owner.

RESPECTFULLY SUBMITTED

ALDERMAN T. COOKE, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover
Secretary

1991 December 11

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1992 and respectfully recommends:

1. That the terms of office for the current citizen members of the various Committees, Boards and Commissions which were extended to 1992 February 1 by the Committee of the Whole of City Council at its Special Meeting held 1991 December 10 be further extended to 1991 March 1 in order to permit the Finance and Administration Committee to conduct mandatory orientation sessions prior to the interview process for citizen appointments.

2. (a) That the terms of reference of the Keep Hamilton Clean Committee be revised by increasing the citizen composition to bring the compliment of the Committee from 12 to 19 citizen members.

   (b) That the following citizens be appointed to serve on the Keep Hamilton Clean Committee for terms to expire as listed below:

1.	Jack R. Brown, 29 Horning Drive, Hamilton	**1994 Nov. 30**
2.	Paddy Chitty, 36 Kingsway Drive, Hamilton	**1994 Nov. 30**
3.	Sheila N. Church, 65 Rolston Dr., Hamilton	**1994 Nov. 30**
4.	William Deeley, 322 Upper Ottawa, Hamilton	**1994 Nov. 30**
5.	Bob Jaggard, 663 Beach Boulevard, Hamilton	**1994 Nov. 30**
6.	Ronald J. Kennan, 116 Dunsmure, Hamilton	**1994 Nov. 30**
7.	Fred Loft, 12 Macauley St. West, Hamilton	**1994 Nov. 30**
8.	Rick G. Kozuch, Box 423 Station B, Hamilton	**1993 Nov. 30**
9.	James Monahan, 204-1324 Monterey, Hamilton	**1993 Nov. 30**
10.	Bruce Gordon Taylor, 42 Mountain, Hamilton	**1992 Nov. 30**
11.	Ronald Volterman, 191 Paradise N., Hamilton	**1992 Nov. 30**

3. That the following citizens be appointed to serve on the Hess Village Pedestrian Mall Authority for a term of office to expire 1994 November 30.

1. Marion Challe, 110 George Street, Hamilton
2. Bob Daniels, 105 George Street, Hamilton
3. Michael Fortino, 112 George Street, Hamilton
4. Donna M. Loyst, 13 Hess Street South, Hamilton

4. For the information of the members of City Council, the Finance and Administration Committee at its Special Meeting held 1991 December 16 approved the following appointments to sub-committees:

(a) French Sub-Committee

1. Denyse Beachemin, 87 Napier, Hamilton
2. Henriette Déry, 57 Sunvale Place, Stoney Creek
3. Stephane Drolet, 78 Alanson Street, Hamilton
4. Anne Gravereaux, 60 Flatt Avenue, Hamilton
5. Aristide (Ted) Lafreniere, 41 Edgewood, Hamilton
6. Roger Paquette, 36 Billington Court, Hamilton
7. L. L. Turenne, 68 Deschene Avenue, Hamilton

(b) Hamilton Farmers' Market Sub-Committee

1. William E. Kosar, 3800-100 Main St. E., Hamilton
2. May Toth, 9 Richmond Street, Hamilton

5. For the information of the members of City Council, the Finance and Administration Committee at its Special Meeting held 1991 December 16 approved that the terms of reference of the Taxi Advisory Sub-Committee be revised by the addition of one citizen to the current membership for a total of 4 citizen members.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1991 December 16

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1992 and respectfully recommends:

1. (a) That Civic Gold Pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning the Provincial Championship for Hamilton in the following categories:

Steve Lysak	-	200 Breast Stroke
Rob McLarty	-	200 Free Relay
Stefan Rappazzo	-	200 Free Relay
Brad Sindrey	-	200 Medley Relay
Kevin Tee	-	200 Free Relay

(b) That Civic Gold Rings be awarded to the above named swimmers in recognition of their setting Canadian records at a Provincial Championship.

2. That Civic Gold Pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning both the winter (Short Course) and Summer (Long Course) Ontario Age Group Championship team titles in 1991:

Peter Goodacre	Simon Goodacre
Cori Upson	Jason Rappazzo
Erica Morton	Lee Hart
Sarah Vargo	Chris Hill
Kimberly Kerr	Erik Wolf
Maureen McKenna	Gord Marcy
Moira Carriere	Lisa Bourque
Chelsea Bailey	Jennifer Difilippo
Lisa Marcy	Terri Reid
Amy Lysak	Garth Sindrey
Annemarie Brown	Todd Stratten
Theresa Malar	Greg Johnstone

Trevor Polstra	Amanda Rappazzo
Adrian Gheorgheos	Dayna Bent
Ken Turnbull	Keith Barrett
Steven Hewick	Brandon Robinson
Shannon Clark	Trevor Morton
Sarah Watson	Adina Danila
Amberly Bent	Christine Korneluk
Melissa Hamilton	Carla Difilippo
Michelle Prosek	Cara Higson
Debra Thatcher	Erin Doherty
David Marcy	Aaron Love
Cory Bardossy	Michael Ragona
Jono Hill	
Brian Bond - Coach	Dawn Gilhooly - Coach

3. That a Civic Gold Pin be awarded to Brian Cunningham for winning the 1991 Provincial Championship in Judo.

4. That approval be given to the action taken by the City Clerk in authorizing the Neighbour to Neighbour Centre to use the City Hall forecourt on Friday, 1991 November 01 from 11:30 a.m. - 12:00 noon for a Symbolic Protest with regard to G.S.T. and Municipal Taxes.

5. That permission be granted to the Law Department to use the Council Chamber on Wednesday, 1992 April 15 from 10:00 a.m. - 4:00 p.m. for a "mock" Ontario Municipal Board land rezoning appeal hearing as a special outreach/educational project on National Law Day.

6. (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber, City Clerk's foyer, and east and west areas of the second floor foyer and related equipment on Wednesday, 1991 November 20 from 6:00 - 10:00 p.m. by the Hamilton Mundialization Committee for their Fourth Annual World Citizenship Award Ceremony, and in providing temporary parking permits for this event.

   (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activities.

7. (a) That approval be given to the action taken by the City Clerk in authorizing the City Hall Forecourt and Memorial Garden on Friday, 1991 December 06 from 5:00 p.m. - 6:00 p.m. for a Commemoration Event.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

8. (a) That permission be granted to the Hamilton and District Women's Inter-Church Council to use the Council Chambers and Room 219 from 7:00 p.m. to 10:00 p.m. on Friday, 1992 March 06 for the 1992 World Day of Prayer Service.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

9. That approval be given to the action taken by the City Clerk in authorizing the use of City facilities to the Jewish Community Centre, Hamilton-Wentworth and Area as follows:

i) To place their Chanukah Menorah on the balcony outside the Council Chambers from Friday, November 29 - Monday, 1991 December 9

ii) To grant access to the balcony at approximately 7:00 p.m. each evening during this period for a representative of the Jewish Community Centre to light the Menorah.

iii) To use the City Hall Council Chambers on Thursday, 1991 December 05 from 3:45 p.m. - 5:00 p.m. for their Chanukah celebrations.

10. That approval be given to the action taken by the City Clerk in authorizing the use of the City Clerk's foyer and related equipment on Thursday, 1991 November 28 at 6:00 o'clock p.m. by the Hamilton Status of Women Sub-Committee for a public meeting with regard to the safety audit.

11. (a) That approval be given to the action taken by the City Clerk in authorizing the use of the east end, second floor foyer from Monday, 1991 November 25 - Friday, December 06 for the Annual Leather Medal Awards exhibit.

(b) That the City Clerk be granted the authority to approve of a similar use in future years, providing it does not interfere with any other activity.

12. That approval be given to the action taken by the City Clerk in authorizing the Ukrainian Canadian Congress to use the City Hall forecourt on Saturday, 1991 December 07 at 11:00 a.m. for a rally of recognition and joy on the ratification of Ukrainian Independence by referendum.

13. That approval be given to the action taken by the City Clerk in authorizing the City Hall Christmas Carol Programme to be held in Council Chambers on Wednesday, December 18 at 3:30 p.m. and Friday, December 20 at 8:30 a.m. for rehearsals and the second floor foyer on Friday, December 20 from 9:15 - 10:30 a.m. for the Carol Programme.

14. (a) That permission be granted to the Ukrainian Canadian Congress to use the Council Chambers on Saturday, 1992 January 25 at 10:30 a.m. for the Ukrainian Independence Day Celebrations.

    (b) That the Ukrainian flag be flown on 1992 January 25 at City Hall.

    (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

15. That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber on Sunday, 1991 December 08 from 4:00 - 6:00 p.m. for a Twin City Ceremony on the occasion of the visit of the delegation from Sarasota, Florida Twin Cities Association.

16. That approval be given to the action taken by the City Clerk in authorizing the United Voices for Fair Treatment in Child Care to use the City Hall Council Chamber on Thursday, 1991 December 12 from 7:30 p.m. for a Public Forum.

17. That approval be given to the action taken by the City Clerk in authorizing the Fly the Flag for Canada Committee to use meeting room 219 for a press conference on Monday, 1991 December 16 at 10:00 a.m. to unveil the workplan for the Fly the Flag for Canada 1992.

18. That approval be given to the action taken by the City Clerk in authorizing the use of Council Chambers on Sunday, 1991 December 15 from 7:30 - 9:30 p.m. for a musical presentation by Jackie Washington and Sonny Johnston.

19. That approval be granted to the Associazione Musicale:

    (a) To hold a performance in the Council Chambers on Sunday, 1992 January 26 at 3:00 p.m., and,

    (b) To use the Council Chambers on Sunday, January 19 at 6:00 p.m. and Saturday, January 25 at 2:00 p.m. or 6:00 p.m. for rehearsals.

20. That Mr. Norman B. Preece and Mr. C. Douglas Boothe as nominated by the Hamilton Civic Hospitals Foundation, be appointed to the Hamilton Civic Hospitals Board of Governors for a term to expire 1995 December 31.

21. That Mrs. Margaret McGillivray and Mr. Robert Philip as nominated by the Board of Education for the City of Hamilton be appointed to the Public Library Board for a term to expire 1994 November 30.

22. That Mr. Thomas Radigan, as nominated by the Hamilton-Wentworth Roman Catholic Separate School Board, be appointed to the Public Library Board for a term to expire 1994 November 30.

23. That approval be given to the action taken by the Farmers' Market Sub-Committee in scheduling Market Days throughout 1991/1992 Christmas holidays as follows:

CHRISTMAS WEEK	NEW YEAR'S WEEK
Monday, 1991 December 23	Tuesday, 1991 December 31
Tuesday, 1991 December 24	Thursday, 1992 January 02
Friday, 1991 December 27	Friday, 1992 January 03
Saturday, 1991 December 28	Saturday, 1992 January 04

24. (a) That the Hamilton Farmers' Market fees be increased by two percent (2%) as shown in schedules "B" and "1", attached hereto as appendix "A".

    (b) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law 81-180, "To regulate the Hamilton Farmers' Market" to reflect this increase, effective 1992 January 01 for submission to City Council.

25. That, in accordance with City Council direction 1991 October 29 for the Treasurer to identify the financing method of funding to proceed with the Safety Audit as requested by the Hamilton Status of Women Sub-Committee, the requested funding of $10,000. be financed from the Current Contingency account, Centre number 24120.

26. That realty and business tax applications processed under Section 496(a) of The Municipal Act in accordance with Bill 59 (Municipal Act Amendment) Chapter 31 Statutes of Ontario, 1988 in the amount of $11,560.23 be approved and charged to CH53307-24104 Tax Remissions.

27. That, as referred to in Section 24 of the First Report of the Transport and Environment Committee for 1992, the City's Share of Services for the completion of Gagliano Gardens Subdivision in the additional amount of $1,300. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

28. That, as referred to in Section 20 of the First Report of the Parks and Recreation Committee for 1992 the amount of $170,589.24 (subject to taxes and interest adjustments) required to complete the final land acquisition for T.B. McQueston from the Ontario Housing Corporation, be financed from the "5% Land Dedication" Reserve.

29. That the payment by Local 288 of the Hamilton Professional Firefighters Association of the legal bill of Mr. Stanley Simpson in the amount of $749., regarding a traffic violation to firefighter Paul Slattery while in performance of his duties, be reimbursed to Local 288 and charged to Unclassified Expenditure account CH55195-240201.

30. That a purchase order be issued to Carter G.M. Trucks, Hamilton, in the amount of $262,208.92 including all taxes, for the purchase of three (3) 20 cu.yd. refuse packers, being the lowest acceptable of five suppliers to bid, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Packers Account No. CH5X504-00101.

31. That a purchase order be issued to MacIntyre Electric (1983) Limited, Hamilton, for lighting maintenance, various civic buildings, to 1994 November 30 being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts, as follows:

$3,346. per month during 1992
$3,451. per month during 1993
$3,556. per month during 1994

32. That a purchase order be issued to Cipolla's Services Ltd., Burlington, for electrical maintenance, various civic buildings, to 1994 November 30 being the lowest of two tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts, as follows:

$3,990. per month during 1992
$4,389. per month during 1993
$4,828. per month during 1994

33. (a) That the City exercise its option to extend the existing agreements, as follows:

i) General Tire Canada, Hamilton, to supply and service tires to 1994 November 30, approved 1991 June 25 Report 12-91, Item 7;

ii) Shell Canada Inc., North York, to supply and deliver gasoline and diesel fuels to various locations to 1992 November 30, approved 1990 March 27 Report 9-90, Item 4.

(b) That these expenditures be financed through various approved accounts.

34. That a purchase order be issued to Bennett & Wright in the amount of $226,940., including all taxes, being the lowest tender received, to supply and install a new sprinkler system at 125 Barton Street West, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and this expenditure be financed through Sprinkler Replacement Account No. CF5255-319141001.

35. (a) That the Corporation of the City of Hamilton enter into a Lease Amending Agreement with the Art Gallery of Hamilton, to provide for an equal cost sharing arrangement between the City and the Gallery with respect to the maintenance, major repair or capital replacement of passenger Elevator No. 2, which serves both Art Gallery and City facility patrons alike.

(b) That the Mayor and City Clerk be authorized to execute the Lease Amending Agreement dated 1988 February 24.

36. (a) That an Offer to Purchase executed by officials of the Municipal Non-Profit (Hamilton) Housing Corporation on 1991 December 6, and scheduled for closing on or before 1992 May 14, for the purchase of lands known municipally as 1100 Limeridge Road East, be approved and completed. The subject property has a frontage along the southerly limit of Limeridge Road East of 132.339 metres (434.18 feet) by a depth of 88.32 metres/96.88 metres (289.79 feet/317.87 feet) containing 12,058.3 square metres (2.98 acres),

shown as Parts 1 and 4 on Plan 62R-9176. Subject parcel forms part of the property known as 1100 Limeridge Road East. The purchase price of $570,000. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).

(b) That this Offer to Purchase is conditional on:

(i) The City entering into an Easement Agreement with the Region in a form satisfactory to the City and the Region for landscaping purposes through a portion of the property being sold described as Part 4 on Plan 62R-9176.

(ii) The registration of the said Easement Agreement on title, and

(iii) The City's deed to the Purchaser being expressly subject to the registered easement.

37. That an Offer to Purchase (Easement) Agreement executed by Regional officials on 1991 November 13 and scheduled for closing on or before 1992 March 23 for the purchase by the Region of an easement for the construction and maintenance of a watermain along the easterly limit of Upper Ottawa Street, south of Limeridge (No. 5 Fire Hall), required in conjunction with the Red Hill Creek Expressway, be approved and completed. Subject parcel is shown as Parts 1 and 2 on Plan 62R-11676 containing .057 hectare (0.148 acre). The purchase price of $30,600. be credited to Account Number CH 4X999 00102 (Reserve for Property Purchases - Other Revenue).

38. (a) That an Offer to Purchase executed by Regional officials on 1991 November 13 and scheduled for closing on or before 1992 March 23 for the purchase by the Region of part of the property at 1410 Limeridge Road East required for the Red Hill Creek Expressway be approved and completed. Subject parcel is shown as Part 13 on Plan 62R-11426, containing 10,410.1 square metres (2.57 acres). The purchase price of $12,850. be credited to Account Number CH 4X501 00201 (Reserve for Acquisition of Park Lands - Sales).

(b) That the Region covenants and agrees that the Transfer/Deed of the lands described in Box 5 of the subject Transfer/Deed from the City to the Region shall be executed by the Region and shall contain the following provisions:

i) The Regional Municipality of Hamilton-Wentworth shall use the lands described in Box 5 of this Transfer/Deed only for the Red Hill Creek Expressway and related or ancillary uses as approved by the Council of The Regional Municipality of Hamilton-Wentworth and for no other purpose unless with the express written consent of The Corporation of the City of Hamilton.

39. (a) That the current Agreement between the City of Hamilton and Servifood Ltd. (formerly the Canadian National Institute for the Blind) which was approved by City Council on 1959 August 25 by adopting Section 43 of the Board of Control Report be terminated upon the City giving at least sixty (60) days advance notice.

(b) That approval be given to enter into an Agreement with Carmen's Catering Ltd. for the Provision of Cafeteria/Food Services at Hamilton City Hall. The agreement is to commence on 1992 April 6 at a rental of $1,000. per month plus 10% of gross sales (estimated at $300,000. per year) paid quarterly, plus realty and business taxes (estimated at $8,000. per year). The agreement will be for a period of five (5) years with an option to renew for further periods of three (3) and two (2) years respectively if so decided by the City.

(c) That the City Solicitor be directed to prepare the Agreement.

(d) That the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City.

40. That the salary classification for the following non-union position in the Building Department be approved in accordance with Item 12 of the 5th Report of the Planning and Development Committee adopted by Council on 1991 March 26.

POSITION TITLE	FUNCTION	GRADE	SALARY
Manager of Customer Services	To manage the Customer Services section in providing a living environment free of safety, health and fire hazards through plan examination, and advising design professionals on regulatory requirements.	G	$59,217.60 $69,797.00

41. That the contract settlement of the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers' International Association and Ontario Sheet Metal Workers' Conference, Local 537, Hamilton, be received pursuant to the Fair Wage Policy of the City of Hamilton.

42. That the contract settlement of the Ontario Industrial Roofing Contractors' Association and Ontario Sheet Metal Workers' Conference of the Sheet Metal Workers' International Association on behalf of Local 537, Hamilton, and Sheet Metal Workers' International Association, be received pursuant to the Fair Wage Policy of the City of Hamilton.

43. That the listing of Appointments To and Terminations From Permanent positions with the Corporation to 1991 December 30 attached hereto as Appendix "B" be approved.

44. (a) That the account of Mr. Ian Binnie of McCarthy, Tétrault, dated 1991 December 3, in relation to the Twin Pad Arena OMB hearing, in the total amount of $68,847.07 be approved for payment.

(b) That this expenditure be funded from accounts of the Law Department as follows:

(i) McCarthy and McCarthy, Centre number 55426: $43,847.07

(ii) Legal Miscellaneous - Centre number 55428: $25,000.00

45. That the request for an investigation of the feasibility of converting City of Hamilton taxicabs to wheelchair accessible taxicabs be referred back to the Finance and Administration Committee with a view to tabling this matter until such time as the Study of Transportation Services for People with Disabilities is completed.

46. (a) That the 1992 invoice for $115,164.38 (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

47. (a) That approval be given to proceed with the preparation of the final construction plans and estimates for the construction of the computer room in City Hall including the required automatic Sprinkler system, cooling systems, electrical work and security systems.

(b) That the Manager of Purchasing be authorized to subsequently issue tenders if the final estimate for the project is within $500,000.

(c) That the estimated cost of construction and relocation of the computer be funded as follows:

CF 5255-3191-41001	$150,000. (Major Maintenance Civic Buildings)
CF 5698-26XX-510XX	$303,000. (Computer Software)
CF 5200-2688-510011	$ 47,000. (Computer Security)

(d) That the restoration (for use by the Support Services Division) of the basement area currently occupied by the computer be submitted for consideration as part of the 1992 capital budget process (estimated cost $67,000.).

48. That, as recommended by the Hamilton Mundialization Committee, approval be given to the following guidelines for future Hamilton twin city relationships, as amended:

(a) It is desirable that a potential twin city state its intent or plan for mundialization in the twinning contract that is negotiated with the City of Hamilton.

(b) It is desirable that the potential twin city identify a group within its city to liaise with the Hamilton Mundialization Committee.

(c) It is desirable that the premiere purpose of twinning should be promotion of grass roots or people exchanges between the cities. This will include **a)** broad support for the potential twin city relationship within the equivalent cultural community and **b)** representation and active participation of the equivalent cultural community in Hamilton on the Hamilton Mundialization Committee.

(d) It is desirable that procedures and mechanisms for the presentation of proposals for twinning by interested parties to City Council be defined and formalized.

(e) It is desirable that the procedures indicate the point in the selection process of a twin city when a recommendation from the Mundialization Committee is solicited.

(f) It is desirable that there be a review of each twinning relationship every five years.

(g) It is desirable that under normal circumstances, no more than one new twin city be selected within a two-year period.

(h) It is desirable that the respective responsibilities of City Hall and the Mundialization Committee for arrangements for each exchange visit be clearly defined in the planning phase of the visit.

49. That the Finance and Administration Committee, on behalf of the City, assume the duties and responsibilities presently held by the Information Systems Committee.

50. (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1991 November 2 and terminating on 1996 November 1.

(b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.

(c) That rent payable to the Football Hall of Fame be established on the following basis:

Rent payment be adjusted and commence on the second day of 1991 November at a rental of $6,666.66 per month or $80,000. per year inclusive of realty taxes which are $19,254. for 1991.

In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.

(d) That the lease provide for a one year notice clause for either party for vacation of the premises.

All amounts payable shall be deemed to be additional rent.

(e) That Section 26 of the Nineteenth Report of the Finance and Administration Committee adopted by City Council 1991 October 29 which included a phasing in plan for the increase in rent be rescinded.

51. (a) That the former West Avenue School Property be made available for occupancy by the Social Planning and Research Council (SPRC) and the Self Help Centre.

(b) That the Director of Property be authorized to continue negotiating an agreement with the S.P.R.C. and the Self Help Centre, governing their proposed occupancy and covering such issues as term, rental payments, operating cost responsibility and capital improvement responsibility.

(c) That the details of the agreement be brought back to the Finance and Administration Committee and City Council for approval.

52. That the process for the 1992 General Grants be as follows:

(a) The total 1992 current budget appropriation for grants be established at the 1991 level, namely $600,000.;

(b) All General Grant applications received by 1991 December 31 are to be summarized along with their 1991 and 1990 Grant history for consideration by the Committee of the Whole of City Council;

(c) The Committee of the Whole will meet by the end of January 1992, (time permitting) to review the summary of the 1992 General Grant requests along with the grant application, a written or verbal presentation and approve the 1992 General Grant amount which would not be subject to appeals;

(d) All applicants will be requested to either submit a written submission summarizing their grant request to be forwarded to the Grants Co-ordinator at least 3 days prior to the Committee of the Whole meeting or request a 5-minute presentation to the meeting;

(e) That the Grants Policy and Procedure be reviewed by the Finance and Administration Committee in light of the above process changes by 1992 June 30.

53. (a) That a 1991 Capital Grant in the amount of $12,500. to Hamilton Theatre Inc. be financed from the provision in the approved 1991-1995 Capital Budget;

(b) That the request to withdraw the Capital Grant application from the Hamilton Bay Sailing Club be approved;

54. (a) That a grant be approved in the amount of $50,000. to the Hamilton Spectator Indoor Games to be used to offset the costs associated with the annual event held 1992 January 10.

(b) That this expenditure be funded from account CH5A104-2001.

55. That the following resolutions be endorsed:

(a) <u>Regional Municipality of Hamilton-Wentworth Re: 1992 - The Year for Canada</u>

"Whereas Canada is a nation made up of many different cultures, and;

Whereas Canada is enriched by the diversity of its Regions, and;

Whereas these diversities should be treasured as part of our unique heritage as a nation, and;

Whereas no symbol encompasses our diversity more than our Nation's flag, and;

Whereas 1992 is the year that we celebrate the 125th Anniversary of the Birth of our Nation,

Therefore be it resolved that to celebrate our rich tradition and our future together, let it be proclaimed, 1992 - The Year for Canada, and further;

That all Canadians throughout our Nation be encouraged to "Show the Flag for Canada" throughout 1992, and further;

That every household, school, business, and community organization be encouraged to adopt this resolution and participate in organizing activities to promote confidence and pride among all Canadians, and further;

That this resolution be forwarded to every Canadian Municipality with populations greater than 50,000, encouraging them to endorse and actively support these commitments to Canada by sharing this celebration of our Nation and its flag."

(b) <u>City of Stoney Creek Resolution No. 19-11 - Sale and Rental of Adult and Triple X-rated Videos</u>

WHEREAS the present legislation is ambiguous with regards to controlling the sale and rental of adult and triple X-rated videos, and

WHEREAS the sale and rental of such videos is unhealthy for the well-being and social development of any Canadian community, and

WHEREAS this type of business is detrimental to the image of conscientious business, and

WHEREAS this type of business is degrading to society, especially to women, and

WHEREAS this type of business may influence the kind of social crimes our society is presently experiencing;

NOW, THEREFORE, BE IT RESOLVED THAT

1. That the City of Stoney Creek petition the federal government (i.e. Minister of Justice) and the provincial government (i.e. the Attorney General) to adopt tougher and tighter conditions to their present obscenity and morality laws that will eliminate the operation of all adult and triple X-rated video sales and rentals, and

2. That the Minister of Municipal Affairs, the Honourable David Cooke, be petitioned to amend section 222 of the *Municipal Act* to specifically include the licencing, regulating, governing, etc., of adult entertainment parlours which rent, offer to rent or display for rent "goods" as described in subsection 9 of the section, and

3. That the Hamilton Wentworth Regional Police be requested to monitor the activities of businesses involved in the sale and rental of adult videos and pornographic magazines and to lay charges where there are violations, where justified.

4. That a copy of this resolution be sent to the executives of the Federation of Canadian Municipalities and the Association of Municipalities of Ontario for endorsement, and

5. That a copy be sent to the local M.P., Shirley Martin; and the local M.P.P., Mark Morrow; and to the Federal Minister of Justice and the Attorney General of Ontario; and to the Regional Municipality of Hamilton-Wentworth; and to all municipalities in Ontario with populations over 25,000.

The Finance and Administration Committee also recommends that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be notified of this endorsement.

56. (a) That City City Council petition the Government of the Province of Ontario to allow municipal utilities of the Province of Ontario to have the right of first refusal to purchase excess generation from non-utility generation projects (NUG) within their service area..

(b) That a copy of this resolution be sent to the Association of Municipalities of Ontario and all cities over 50,000 population in the Province of Ontario for their endorsement.

57. That Mr. Joe Pavelka, Acting Chief Administrative Officer and Mr. Doug Lobo, Acting Director of Public Works be placed within the range for the positions, in the appropriate step, for the period during which they carry out the Acting responsibilities.

58. 1. That the City of Hamilton decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 16067/89 dated 1991 October 2.

2. That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action No. 16067/89 in the following terms:

(a) That the damage claim on behalf of Hamish (Jamie) Campbell be assessed in the amount of $10,000. for General Damages.

(b) The Family Law Act claim on behalf the Plaintiffs, Elizabeth Campbell, Stuart John Albert Campbell, Susan Roberta Campbell and Colin Campbell be assessed in the amount of $1,000.

(c) That pre-judgment interest be paid on the above sums at the rate of 11% per annum.

(d) That the Plaintiffs receive their Party and Party costs to be agreed or assessed.

(e) That provided the Defendant by counter-claim Colin Campbell pays $4,000. of the above noted sums that the City agree that the counter-claim be dismissed without costs.

(f) That the Plaintiffs obtain the necessary Judge's Orders approving the infant settlement.

(g) That this offer remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

59. 1. That the City of Hamilton reject the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 6893/89, dated 1991 October 21.

2. That the City of Hamilton make an offer to Settle Ontario Court (General Division) Action No. 6893/89, in the following terms:

(a) That the City of Hamilton pay to the Plaintiffs, John Jeffery Davidson, Harry Davidson and Carol Davidson, the sum of $2,500. inclusive of all damages, interest and costs.

(b) That Ontario Court (General Division) Action No. 6893/89 be dismissed without costs.

(c) That this Offer remain open for acceptance until withdrawn, or until the commencement of Trial, whichever first occurs.

60. 1. That the City of Hamilton resolve Ontario Court (General Division) Action No. 16413/89 by the payment to the Plaintiffs, Sao and Miguel Henriques of the sum of $4,065.20 inclusive of all damages, interest and costs.

2. That the Plaintiffs, Sao and Miguel Henriques, be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the Law Department.

3. That Ontario Court (General Division) Action No. 16413/89 be dismissed without costs.

61. That Approval be given to implement the **CONFIDENTIAL** Recommendations contained in the Background of the report of the Director of Property dated 1991 November 18 on Security at City Hall, as amended, copies of which have been distributed to all members of City Council under separate cover.

62. For the information of the Members of City Council, the Finance and Administration Committee,at its meeting held 1992 January 09, made the following appointments to the various Sub-Committees under its jurisdiction.

(a) Advisory Committee on Equitable Representation on Committees/Boards/ Commissions:

Alderman D. Agostino, Alderman B. Charters.

(b) English Language Sub-Committee:

Mayor R. M. Morrow.

The English Language Sub-Committee has requested that Council representation be increased to two (2) representatives to include the Mayor.

(c) French Sub-Committee:

Mayor R. M. Morrow.

The French Sub-Committee would welcome one (1) additional Council representative on the sub-committee.

(d) Hamilton Farmer's Market Sub-Committee:

Alderman D. Agostino.

One (1) member of City Council still required for appointment.

(e) Hamilton Municipal Retirement Fund Committee:

Mayor R.M. Morrow, Alderman T. Anderson, Alderman B. Charters, Alderman D. Ross.

(f) Hamilton Status of Women Sub-Committee:

Alderman D. Agostino, Alderman M. Kiss.

(g) Keep Hamilton Clean Committee:

Alderman D. Wilson.

(h) Strategic Plan Task Force:

Mayor R. M. Morrow, Alderman B. Charters, Alderman G. Copps, Alderman M. Kiss, Alderman D. Ross.

(i) Taxi Advisory Sub-Committee:

Alderman D. Drury.

Two (2) members of City Council still required for appointment.

63. That leave be granted to introduce the following Bills:

(a) Bill H-8 A By-law to Amend By-law 81-180 Respecting Fees.

(b) Bill H-9 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1992 January 9

Appendix A As Referred to in Section 24 of the SECOND Report of the Finance and Administration Committee for 1992.

HAMILTON FARMERS MARKET
1992 FEE SCHEDULE

SCHEDULE 'B' TO BY-LAW NO. 87-324

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees Per Month	Per Day	YRLY
1 to 8	(Refrigeration Units)	$ 270.00	N/A	$3240.
12 to 18	(Refrigeration Units)	270.00	N/A	3240.
22	(Refrigeration Units)	270.00	N/A	3240.
9,10,11	(Refrigeration Units)	225.00	N/A	2700.
19,29,21	(Refrigeration Units)	225.00	N/A	2700.
23 to 46	RAMP	157.00	25.00	1884.
47 to 62A	North Wall - Main Floor	157.00	25.00	1884.
63 to 70	West Wall - Main Floor	157.00	25.00	1884.
71 to 95	South Wall - Main Floor and Under Ramp	157.00	25.00	1884.
96 to 100	Loading Docks(from 7:30am to 4:00pm)	157.00	25.00	1884.
101 to 111	East Wall - Main Floor	157.00	25.00	1884.
112 to 143	Stands in Middle from East to West (North Side)	157.00	25.00	1884.
144 to 175	Stands in Middle from West to East (South Side)	157.00	25.00	1884.
30a,34a,36a,37a,46a		87.00	12.00	1044.
70a,72a		66.00	12.00	792.
92		221.00	25.00	2652.
176	Coffee Shop	314.00	N/A	3768.

SCHEDULE 1

TO

By-law No. 87-180

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

Stand No.'s	Dealers' Fees Per Annum
1 to 176	$ 91.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance..... $ 7.00 per day

PART 4: FRIDAY MARKET FEES

8 FT. Refrigeration Unit ..... $ 17.00 per day

12 FT. Refrigeration Unit ..... $ 21.00 per day

Regular Stands ..... $ 12.00 per day

Each Additional Stand ..... $ 7.00 per day

Coffee Shop ..... $ 23.00 per day

Daily Users' Fees ..... $ 25.00 per day

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Donald Alford	Firefighter I	Fire	Retired	31 years, 5 months	29/11/91
Mr. Thomas Atkinson	Caretaker	Property	Terminated	10 years, 7 months	29/11/91
Mr. Keith Avery	City Clerk	City Clerk's	Retired	41 years, 5 months	31/12/91
Mr. John Barrowcliff	Traffic Signal Repairman II	Traffic	Retired	19 years, 8 months	31/12/91
Mr. Robert Bradshaw	Building Inspector	Building	Retired	27 years, 11 months	28/06/91
Mr. Gus Cino	Caretaker	Property	Retired	12 years, 10 months	31/12/91
Mr. Harold Cooper	Foreman II (Sanitation)	Public Works	Retired	30 years, 5 months	31/12/91
Ms. Joan Currie	Stenographer II	Building	Retired	18 years, 8 months	31/12/91
Mr. Ronald Day	Chief License Inspector	City Clerk's	Retired	15 years, 9 months	31/12/91
Mr. Vincent DiFederico	Lieutenant	Fire	Retired	31 years, 10 months	28/11/91
Mr. Italo Dominic	Building Inspector	Building	Retired	23 years, 9 months	30/08/91
Mr. Don Elder	Co-Ordinator, Regional Purchasing	Treasury	Retired	30 years, 11 months	31/12/91
Mr. Charles Ellis	Firefighter I	Fire	Retired	35 years, 4 months	26/11/91
Mr. Sigismondo Faccenda	Concrete Finisher	Public Works	Retired	7 years, 2 months	31/12/91
Mr. Robert Fyfe	Firefighter I	Fire	Retired	31 years, 5 months	30/11/91

Prepared 30/12/91

Appendix B As Referred to in Section 42 of the SECOND Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Lionel Gagnon	Tractor Operator	Public Works	Retired	23 years, 7 months	31/12/91
Mr. Carmen Gatto	Truck Driver (Districts)	Public Works	Retired	19 years, 6 months	31/12/91
Mr. David Gibson	Building Inspector	Building	Retired	17 years, 5 months	31/12/91
Mr. James Graham	Lieutenant	Fire	Retired	35 years, 8 months	30/11/91
Mr. Gerry Greco	Carpenter	Public Works	Retired	17 years, 3 months	31/12/91
Mr. Jerome Haynes	Firefighter I	Fire	Retired	34 years, 7 months	28/11/91
Mr. Ron Hawkes	Motor Mechanic	Public Works	Retired	10 years, 10 months	31/12/91
Mr. Edward Hilton	Firefighter I	Fire	Retired	30 years, 1 month	26/11/91
Mr. Vilis Imaks	Transcrete Operator	Public Works	Retired	21 years, 7 months	31/12/91
Mr. Robert Kerr	District Chief	Fire	Retired	37 years, 3 months	30/11/91
Mr. Kenneth Kiernan	Chief Fire Prevention Officer	Fire	Retired	35 years, 5 months	29/11/91
Mr. William Kensella	Firefighter I	Fire	Retired	35 years, 1 month	28/11/91
Mr. Stan Knight	Garbage Truck Driver	Public Works	Retired	29 years, 6 months	31/12/91
Mr. David Kurceba	Probationary Firefighter	Fire	Resigned	1 1/2 months	15/11/91
Mr. Bernard Laughlin	Lieutenant	Fire	Retired	30 years, 11 months	30/11/91
Mr. Roger Lott	Carpenter	Public Works	Retired	18 years, 2 months	31/12/91
Mr. Ronald McCall	Firefighter I	Fire	Retired	33 years, 1 month	26/11/91

Prepared 30/12/91

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Ruth Morrison	Administrative Assistant II	City Clerk's	Retired	45 years, 6 months	31/12/91
Mr. Donald Morrow	Zoning Examiner & Code Correler	Building	Retired	35 years, 1 month	31/07/91
Mr. Charles Murray	Office Manager III	Public Works	Retired	27 years, 8 months	31/12/91
Mr. John Naylor	Firefighter I	Fire	Retired	34 years, 3 months	17/11/91
Ms. Joan Orford	Supervisor of Cleaners II	Property	Retired	15 years, 11 months	31/12/91
Mr. Chester Orzel	Manager of Cemetary Division	Public Works	Retired	43 years, 1 month	31/12/91
Mr. Wilburt Peters	Firefighter I	Fire	Retired	29 years, 8 months	26/11/91
Mr. Allan Plant	Shipper & Receiver	H.E.C.F.I.	Terminated	13, years, 11 months	31/10/91
Mr. William Robertson	Parking Services Prosecutor	Traffic	Retired	17 years, 2 months	31/12/91
Mr. Albert Runtes	Traffic Service Foreman	Traffic	Retired	29 years, 10 months	31/12/91
Mr. John Samek	Firefighter I	Fire	Retired	35 years, 7 months	28/11/91
Mr. Al Stokan	Arena Maintenance I	H.E.C.F.I.	Retired	16 years, 6 months	31/12/91
Mr. Robert Taylor	Firefighter I	Fire	Retired	35 years, 1 month	30/11/91
Ms. Christel Vanags	Public Education Liaison Officer	Culture & Recreation	Retired	29 years, 9 months	31/12/91
Mr. Paul Waind	Property Control Officer	Property	Retired	26 years, 9 months	31/12/91
Mr. George Zdriluk	Firefighter I	Fire	Retired	30 years, 3 months	28/11/91

Prepared 30/12/91

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Nancy Barlas	Clerk Typist III (8-B)	Property	Replacing Ms. K. Smith - bumped	$22,069.32 to $23,845.64	18/11/91
Mr. D'Arcy Bresnahan	Gardener II (D-14A)	Public Works	Replacing Mr. F. Liberatore - transferred	$31,000.32 to $31,416.32	28/10/91
Mr. Bruce Broker	Lifeguard II (1)	Culture & Recreation	Replacing Ms. M. Morgan - promoted	$26,078.00 to $28,242.24	18/11/91
Mr. Pat Celebre	Labourer/Truck Driver (Parks Maintenance) (D-9)	Public Works	Replacing Mr. P. Gorman - retired	$31,044.00	28/10/91
Mr. Mike Clark	Maintenance Foreman (14-A)	Parking Authority	Position being moved from Traffic to Parking Authority due to right sizing	$29,566.16 to $34,851.96	25/11/91
Mr. Danny Coppolino	Operator III (D-13A)	Public Works	Replacing Mr. J. McLaren - retired	$31,008.64 to $31,424.64	15/11/91
Mr. Vince Dineley	Operator (M-16)	Central Utility Plant	Replacing Mr. J. Oliver - resigned	$36,687.04	11/11/91

Prepared 30/12/91

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. William Dickson	Supervisor of Cashiers (M)	Treasury	Replacing Mr. T. Franco - resigned	$38,705.16 to $45,542.12	18/11/91
Mr. Abelardo Estravillo	Foreman/Woman II (Mech Rprs) (12-D)	Fleet Services	Replacing Mr. P. Morosin - promoted	$35,232.08 to $41,881.32	04/11/91
Mr. Joseph Galati	Garbageman/Woman (D-10)	Public Works	Replacing Mr. D. Embleton - transferred	$30,960.80 to $31,376.80	11/11/91
Mr. Raymond Harkness	Park Draftperson (1)	Community Development	New Position - due to reorganization	$32,093.83 to $36,470.72	11/11/91
Mr. David Hockley	Gardener II (1)	Public Works	Replacing Mr. D. Leslie - resigned	$31,000.32 to $31,416.32	11/11/91
Mr. Randy Manuel	Gardener II (1)	Public Works	Replacing Mr. L. McCurdy - promoted	$31,000.32 to $31,416.32	11/11/91
Mr. Danny Mazzocato	Truck Driver (Litter Centres) (1)	Public Works	Replacing Mr. R. Parsik - transferred	$31,008.64 to $31,424.64	26/11/91
Mr. Donald Peters	Chief Fire Prevention Officer (C-12A)	Fire	Replacing Mr. K. Kiernan - retired	$67,819.02	16/12/91

Prepared 30/12/91

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Allan Plant	Shipper/Receiver (M-10)	H.E.C.F.I.	Returning to former position	$32,308.64	09/12/91
Mr. Nancy Rajher	Customer Service Rep/ Plan Examiner (19-A)	Building	New Position - Council Approved March 27, 1991	$32,250.40 to $38,081.68	04/11/91
Mr. Keith Ridgewell	Street Sweeper Operator (D-14D)	Public Works	Replacing Mr. M. McEntee - reclassified	$31,245.76 to $31,661.76	10/12/91
Mr. George Robis	Customer Service Rep/ Plan Examiner (19-A)	Building	Replacing Ms. L. Paterson - promoted	$32,250.40 to $38,081.68	02/12/91
Mr. Albert Vandenakker	District Chief (C-11)	Fire	Replacing Mr. G. Peace - promoted	$60,038.17	10/11/91
Mr. Carl Van Veen	Street Sweeper Operator (D-14D)	Public Works	Replacing Mr. G. Costello - promoted	$31,245.76	09/12/91

Prepared 30/12/91

Bill No. A-1

The Corporation of the City of Hamilton

BY-LAW NO.

To Amend:

By-law No. 86-77

Respecting:

SERVICE CLUB SIGNS ON HIGHWAYS

URBAN MUNICIPAL GOV

WHEREAS By-law No. 86-77 was enacted by the Council of The Corporation of the City of Hamilton on the 25th day of February 1986 to consolidate Streets By-law No. 9329;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 12 of the 15th Report of the Transport and Environment Committee authorized the preparation of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 86-77 is amended by repealing clause (b).

2. Section 1 of the said by-law is amended by repealing clause (ba) and replacing it with the following:

(ba) "Commissioner of Transportation/Environmental Services" means the Commissioner of Transportation/Environmental Services of The Regional Municipality of Hamilton-Wentworth;

3. Section 1 of the said by-law is amended by adding the following clause:

(dd) "Service Club" means a non-profit organization or association which has charitable or social objects;

4. Section 11 of the said by-law is amended by adding the following subsection:

(14) Service Club Signs. The Commissioner of Transportation/Environmental Services may issue a permit to allow the placing of service club signs upon the City highways. The location of the signs shall be acceptable to the Commissioner of Transportation/Environmental Services and to the Traffic Commissioner. The signs shall be constructed and installed by the City at the expense of the service club.

5. Section 17 of the said by-law is repealed and replaced by the following:

17. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the fine specified in section 62 of the Provincial Offences Act, R.S.O. 1980, Chapter 400, as amended.

PASSED this day of A.D. 1991.

City Clerk Mayor

(1991) 15 R.T.E.C. 12, October 29

Bill No. A-2

THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW 92-
TO REPEAL BY-LAW NO. 91-095

WHEREAS Section 193 of The Municipal Act. R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purpose of the Corporation;

AND WHEREAS on March 14, 1989, The Corporation of the City of Hamilton, as an expropriating authority, pursuant to The Expropriations Act, R.S.O., 1980, Chapter 148, did authorize an application to the Council of The Corporation of the City of Hamilton as approving authority, for approval of the expropriation of the lands described in paragraph 2 below;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-095 on the 14th day of May, 1991, to expropriate the lands described in paragraph 2 below, for roadway and municipal purposes pursuant to Section 193 of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 9th Report of the Transport and Environment Committee on June 25, 1991, approved an Offer to Purchase the lands described in paragraph 2 below;

AND WHEREAS it is desirable to cancel proceedings under The Expropriations Act, R.S.O. 1980, Chapter 148, and more particularly the By-law No. 91-095 passed to approve the Application to expropriate the lands described below in paragraph 2;

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 91-095 is hereby repealed.

2. The real property referred to herein is the lands described as Part of Lot 14, Registered Plan 695, designated as Parts 1 and 2 on Plan 62R-10580, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario.

PASSED this day of January, 1992.

ROBERT M. MORROW - Mayor

J. J. SCHATZ - City Clerk

Bill No. A-3

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approx. 99m easterly.

2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of $11,900.00 to be financed from the 1991 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 6 of the 15th Report of the Transport & Environment Committee and Item 16 of the 19th Report of the Finance & Administration Committee on October 29, 1991;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approx. 99m easterly may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed $11,900.00, which cost shall be financed from the 1991 Capital Levy.

2. The Director of Public Works is hereby authorized to supervise construction of the works.

3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk Mayor

(1991) 15 R.T.E.C. 6, October 29
(1991) 19 R.F.A.C. 16, October 29

Bill No. A-4

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on both sides of UPPER OTTAWA STREET between Stone Church Road and Rymal Road, as described in Schedule "A";

2. The special assessment to pay a portion of the cost of the works by the abutting owners;

3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 8th Report of the Transport & Environment Committee on May 14, 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 10th Report of the Finance & Administration Committee on May 14, 1991;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 4th day of October, 1991, issue Order No. E911233 approving the application of The Corporation of the City of Hamilton for:

(a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of $175,910.00 and,

(b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of $88,336.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed $175,910.00.

2. The share or portion of the estimated cost of the works in the amount of $88,336.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

   (a) to the extent sufficient to provide an amount not exceeding $88,336.00;

   (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk Mayor

(1991) 8 R.T.E.C. 7, May 14
(1991) 10 R.F.A.C. 7, May 14

SCHEDULE "A"

The construction of concrete sidewalk on both sides of UPPER OTTAWA STREET between Stone Church Road and Rymal Road at the costs not exceeding those set out below:

City's Share	$ 87,574.00
Owners' Share	88,336.00
TOTAL ESTIMATED COST	$175,910.00
Estimated Cost per metre frontage	$ 86.00

Fifteen (15) annual instalments

Bill No. A-5

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on Stone Church Road West:
- n/s, Upper Paradise Road to 120m easterly;
- s/s, Upper Paradise Road to 48m easterly; and
- s/s, 193m east of Upper Paradise Road to 38m easterly, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 7th day of September, 1988 (File No. E881218) approved,

(a) the construction of concrete sidewalks on Stone Church Road West, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $24,500.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $24,500.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 88-257, passed on the 8th day of November, 1988, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 7th day of September, 1988;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E881218) approved,

(c) an additional expenditure of $9,230.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 7th day of September, 1988, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $33,730.00, in accordance with the Ontario Municipal Board Order dated the 7th day of September, 1988, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $14,791.60 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

4. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 19 .

City Clerk Mayor

(1988) 14 R.E.C. 5, June 28

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on Stone Church Road West:

- n/s, Upper Paradise Road to 120m easterly;
- s/s, Upper Paradise to 48m easterly;
- s/s, 193m east of Upper Paradise Road to 38m easterly,

at the costs not exceeding those set out below:

City's Share	$18,938.40
Owner's Share	14,791.60
TOTAL ESTIMATED COST	$33,730.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 13th day of February, 1989 (File No. E890087) approved,

(a) the construction of concrete sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $55,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $55,000.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 89-98, passed on the 28th day of March, 1989, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 13th day of February, 1989;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E890087) approved,

(c) an additional expenditure of $5,110.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 13th day of February, 1989, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $60,110.00, in accordance with the Ontario Municipal Board Order dated the 13th day of February, 1989, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $18,171.20 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 19 .

City Clerk Mayor

(1989) 1 R.C.C. 3, December 13, 1988

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue at the costs not exceeding those set out below:

City's Share	$41,938.80
Owner's Share	18,171.20
TOTAL ESTIMATED COST	$60,110.00
Estimated Cost per metre frontage	$84.00
Fifteen (15) annual instalments	

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Mohawk Road West from Upper Horning Road to the west City limits, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 20th day of April, 1988 (File No. E880126) approved,

(a) the construction of concrete sidewalks on the south side of Mohawk Road West from Upper Horning Road to the west City limits, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $5,500.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $5,500.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 88-148, passed on the 29th day of June, 1988, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 20th day of April, 1988;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E880126) approved,

(c) an additional expenditure of $8,410.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 20th day of April, 1988, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $13,910.00, in accordance with the Ontario Municipal Board Order dated the 20th day of April, 1988, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $2,399.36 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 19 .

City Clerk Mayor

(1987) 24 R.E.C 2, December 8

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the south side of Mohawk Road West from Upper Horning Road to west City limits at the costs not exceeding those set out below:

City's Share	$11,510.64
Owner's Share	2,399.36
TOTAL ESTIMATED COST	$13,910.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Barton Street from Kenora Avenue to Centennial Parkway, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 7th day of March, 1990 (File No. E900186) approved,

(a) the construction of concrete sidewalks on the south side of Barton Street from Kenora Avenue to Centennial Parkway, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $64,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $64,000.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 90-122, passed on the 8th day of May, 1990, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 8th day of May, 1990;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E900186) approved,

(c) an additional expenditure of $5,960.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 8th day of May, 1990, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $69,960.00, in accordance with the Ontario Municipal Board Order dated the 8th day of May, 1990, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $30,622.40 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 19 .

City Clerk Mayor

(1990) 1 R.F.A.C. 23, January 30

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the south side of Barton Street from Kenora Avenue to Centennial Parkway at the costs not exceeding those set out below:

City's Share	$39,337.60
Owner's Share	30,622.40
TOTAL ESTIMATED COST	$69,960.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 1,2 and 4, PLAN 62R-11658 AND PART 1, PLAN 62R-11755 INTO ANNABELLE STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Annabelle Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Annabelle Street.

Part of Lots 17 to 25 (both inclusive), Registered Plan No. 823 and part of Lots 9,10,11 and 12, Registered Plan No. 947, designated as Parts 1,2 and 4 on Plan 62R-11658 and part of Lot 16, Registered Plan No. 823, designated as Part 1 on Plan 62R-11755.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1991.

J. J. Schatz
City Clerk

R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 3, PLAN 62R-9530 INTO ELMORE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elmore Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elmore Drive.

Part of Parcel 1' Reserves -1
Section M-279

Being part of Block "F", Plan 62M-279, designated as Part 3, Plan 62R-9530

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1991.

J. J. Schatz
City Clerk

R. Morrow
Mayor

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Tyrone	Eastbound	Hawkridge
Glen Echo	Northbound and Southbound	Secord
Bendamere	Eastbound and Westbound	West 27th
Bendamere	Eastbound and Westbound	West 23rd
Rouge Hill	Northbound	Congress
Pottruff	Northbound and Southbound	Eugene
Dunsmure	Eastbound and Westbound	Glendale
Greenshire	Northbound	Cranbrook
Wendover	Northbound and Southbound	Hadeland
Appleford	Eastbound and Westbound	Wendover
Bingham	Northbound and Southbound	Ayr
Armstrong	Northbound	Glengrove
Glengrove	Eastbound	Armstrong/Oriole
Glendale	Northbound and Southbound	Roxborough (north leg)".

and by deleting therefrom the following items, namely:-

"Wendover	Northbound and Southbound	Appleford
Glendale	Northbound and Southbound	Dunsmure
West 23rd	Northbound and Southbound	Bendamere".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Emerald	West	Hunter to 117 feet north	Anytime
Toby	South	Grenadier to 70 feet west	Anytime
Vansitmart	North	Division to 74 feet east	Anytime
Highridge	East	Swan to 59 feet north	Anytime
Highridge	East	Swan to 69 feet south	Anytime
Maplewood	North	Balsam to 46 feet west	Anytime".

and by deleting therefrom the following item, namely:-

"Maplewood	North	Balsam to 66 feet west	Anytime".

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Glen Echo	West	102 feet	commencing 106 feet north of north curb line of the south leg of Loyalist	7:00 a.m. to 6:00 p.m. Monday to Saturday
Bobolink	South	120 feet	commencing at a point 40 feet east of Meadowlark	7:00 a.m. to 6:00 p.m. Monday to Saturday".

and by deleting therefrom the following items, namely:-

"Bobolink	South	80 feet	commencing at a point 40 feet east of Meadowlark	7:00 a.m. to 6:00 p.m. Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"East 38th	West	25 feet	365 feet south of Fennell	7:00 a.m. to 6:00 p.m. Monday to Saturday
Normanhurst	West	28 feet	307 feet north of Dunsmure	Anytime".

and by deleting therefrom the following items, namely:-

"East 38th	West	25 feet	295 feet south of Fennell	7:00 a.m. to 6:00 p.m. Monday to Saturday
Gertrude	North	26 ft.	615 feet west of Depew	8:00 a.m. to 6:00 p.m. Monday to Friday".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:-

a) by adding to the Inbound Column the following items, namely:-

"Greenhill, 377 feet east of the east curb line of Mount Albion (MB)
Quigley, 233 feet north of the north curb line of Greenhill (FS)".

b) by adding to the Outbound Column the following item, namely:-

"Greenhill, 194 feet east of the east curb line of Mount Albion (MB)".

2. **Schedule 25 (Parking Time Limits)** is hereby amended:

a) by adding to **Section 7 (Three Hour Limit)** the following item, namely:-

"Biggar	South	From 500 ft. east of Sherman to 530 feet west of Lottridge".

and by deleting therefrom the following item, namely:-

"Biggar	South	From 500 ft. east of Sherman to 500 feet west of Lottridge".

b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"West	Both	Evans to Cannon".

3. **Schedule 25A (Parking Time Limits)** is hereby amended:

a) by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Emerald	Both	Main to Hunter".

and by adding thereto the following items, namely:-

"Auchmar	Both	Fennell to Garth
East	Both	Barton to Birge".

b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"West 2nd	Both	McElroy to Wembley".

c) by adding to **Section 8 (Two Hour Limit)** the following item, namely:-

"Arkell	South	Newton to Paisley".

d) by deleting from **Section 7 (Three Hour Limit)** the following item, namely:-

"East Ave.	Both	Barton to Birge".

4. **Schedule 25B (Parking Time Limits)** is hereby amended:

a) by deleting from **Section 4 (One Hour Limit)** the following item, namely:-

"West	Both	Evans to Cannon".

and by adding thereto the following item, namely:-

"Emerald	West	Main to Hunter".

b) by adding to **Section 2 (Two Hour Limit)** the following items, namely:-

"Regency	West	Mohawk to Summerlea
Napier	South	Queen to Ray".

5. **Schedule 26 (No Parking Areas)** is hereby amended:

a) by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Emerson	West	commencing at a point 85 feet north of Holmes to a point 27 feet northerly therefrom
Tyrone (west leg)	East	south leg of Tyrone to 91 feet northerly
Tyrone (south leg)	North	west leg of Tyrone to 67 feet easterly
Lorraine	West	Reno to Larch
Emerald	East	Main to Hunter
Dubarry	South	Currie to Lorraine
East 22nd	West	commencing at a point 69 feet south of Concession to a point 40 feet southerly therefrom
Margate	North	Princeton to 98 feet east
Greenaway	West	Cannon to Wilson".

and by deleting therefrom the following items, namely:-

"Glen Echo	West	commencing at a point 370 feet north of Rainbow to a point 100 feet northerly therefrom
Napier	South	Queen to 350 ft. westerly
Millen	West	Brucedale to Empress".

6. **Schedule 26A (No Parking Areas)** is hereby amended by adding to **Section I (No Parking 8:00 a.m. to 6:00 p.m.)** the following item, namely:-

"Elmwood	South	Upper Paradise to the westerly end".

7. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Millen Empress to Brucedale	West	East
Dallas East 37th to the west end	North	South".

and by deleting therefrom the following item, namely:-

"Greenaway Avenue Wilson Street to Cannon Street East	East	West".

8. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"San Remo	West	commencing at a point 98 feet south of San Francisco to a point 20 feet southerly therefrom
Tisdale	West	commencing at a point 77 feet north of King William to a point 20 feet northerly therefrom

Tisdale	East	commencing at a point 38 feet north of King William to a point 20 feet northerly therefrom".

and by deleting therefrom the following items, namely:-

"Millen Magill	East West	Brucedale to Empress 345 feet north of York to 20 feet northerly therefrom	Anytime Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

Bill No. C-3

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 27 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-9D and W-9E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

   (a) a landscaped planting strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly rear lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1185a.

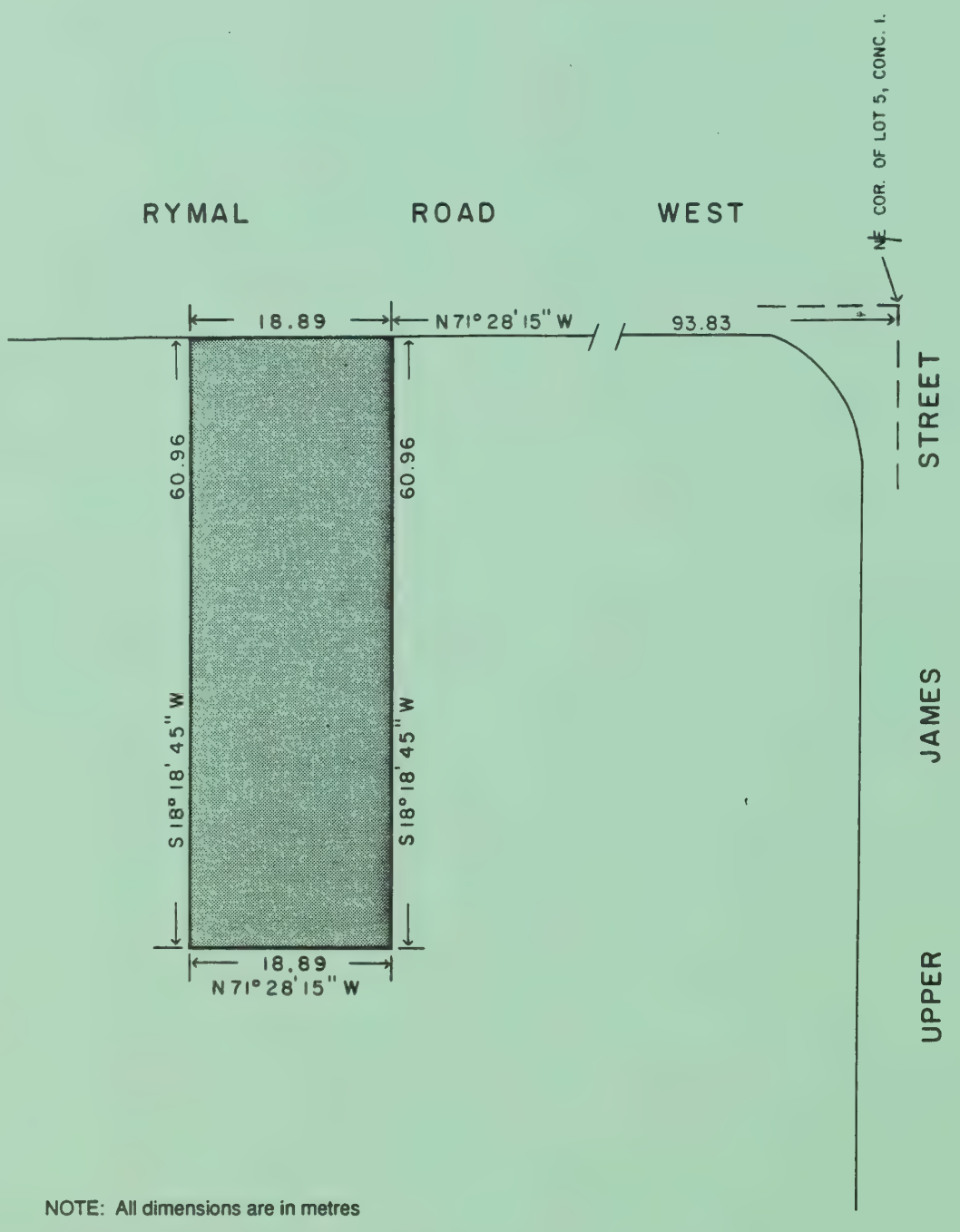
5. Sheets No. W-9D and W-9E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1185a.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 14 R.P.D.C. 10, October 8
Christopher Pies Inc. Prospective Owner
ZA-91-46



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ..... ,1991.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-46
	Date	Drawn By
	OCTOBER, 1991	P.B.

Bill No. C-4

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 234 MacNAB STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 10C of By-law No. 6593, a two-family dwelling and a lodging house for the accommodation of not more than 9 lodgers, with two kitchens, shall be permitted only within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1248.

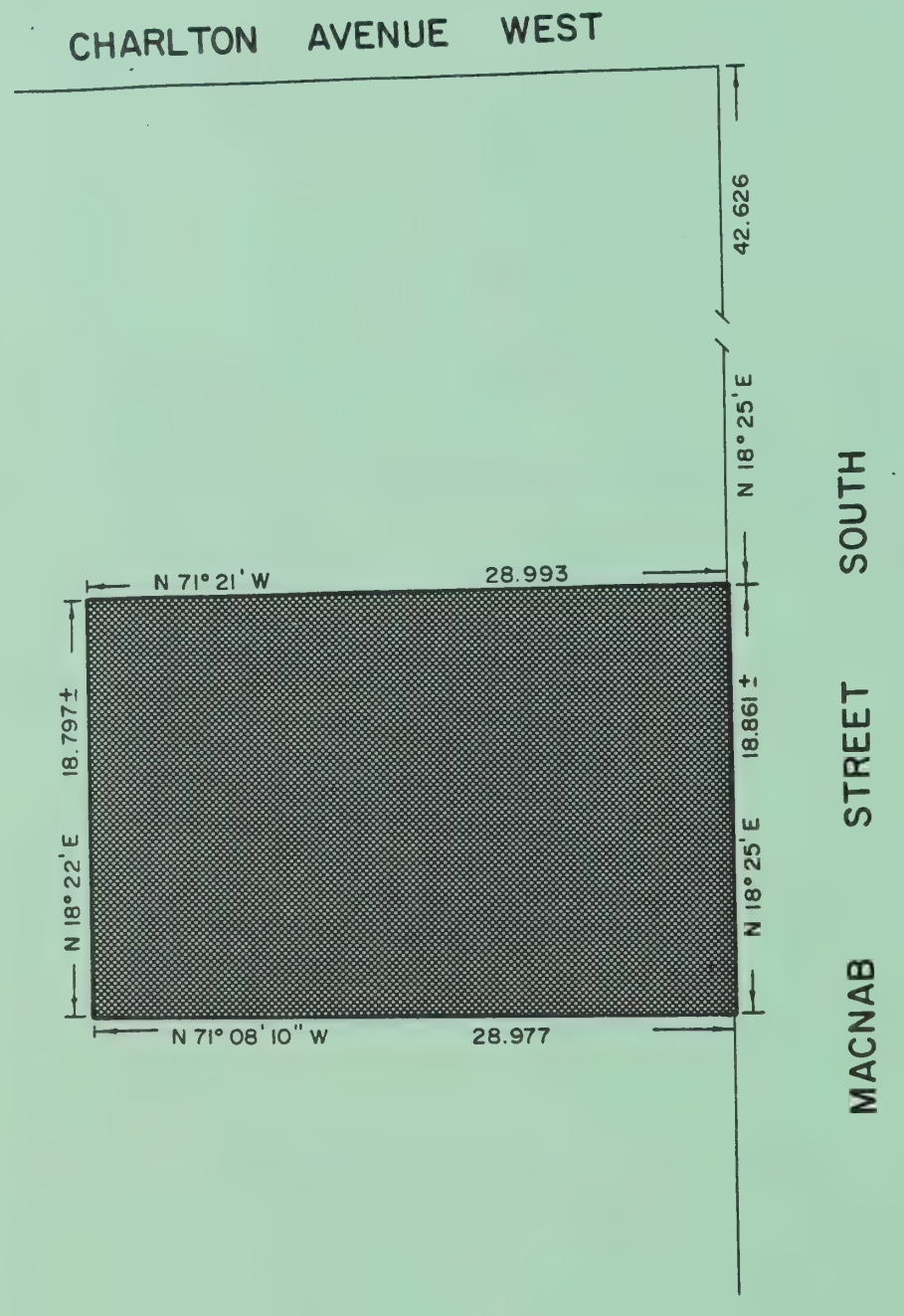
4. Sheets No. W-5 and W-6 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1248.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 14 R.P.D.C. 6, October 8
Shirley T. Young, Owner
Amended ZA-91-36



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ..... ,1991.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 91-.....

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-36
	Date	Drawn By
	OCTOBER, 1991	T.A.

Bill No. C- 5

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 49 HOLLY AVENUE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 10 of By-law No. 6593, a two-family dwelling shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1250.

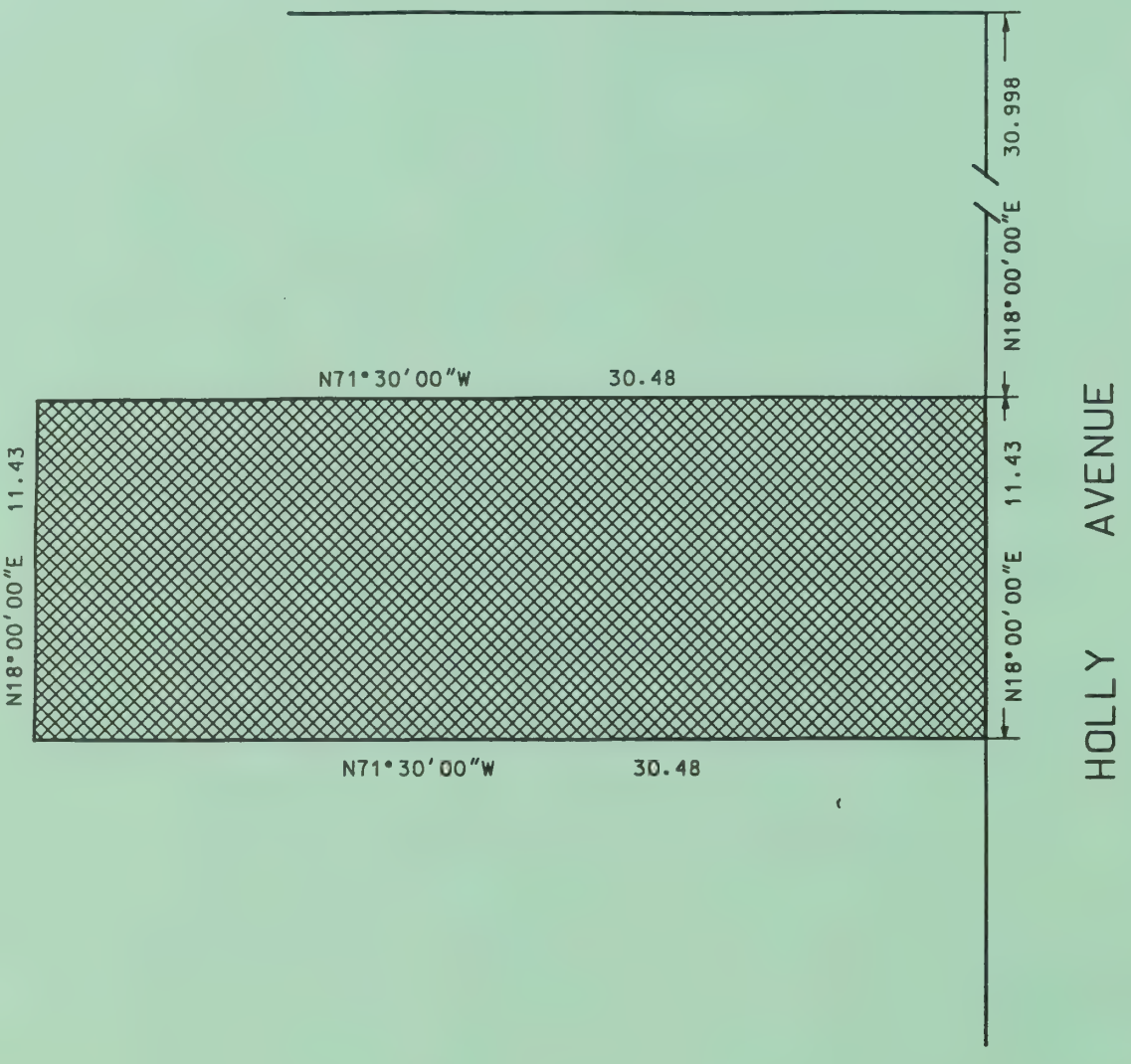
4. Sheet No. E-52 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1250.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 14 R.P.D.C. 11, October 8
Antonette Biggs, Owner
ZA-90-74



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

_____
Clerk

_____
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -_____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated
by By-Law No. 91-_____

North	Scale	Reference File No.
	NOT TO SCALE	ZA90-74
	Date	Drawn By
	OCTOBER, 1991	T.A.

Bill No. C- 6

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 1062 AND 1088 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"AA"** (Agricultural) District to **"C"** (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

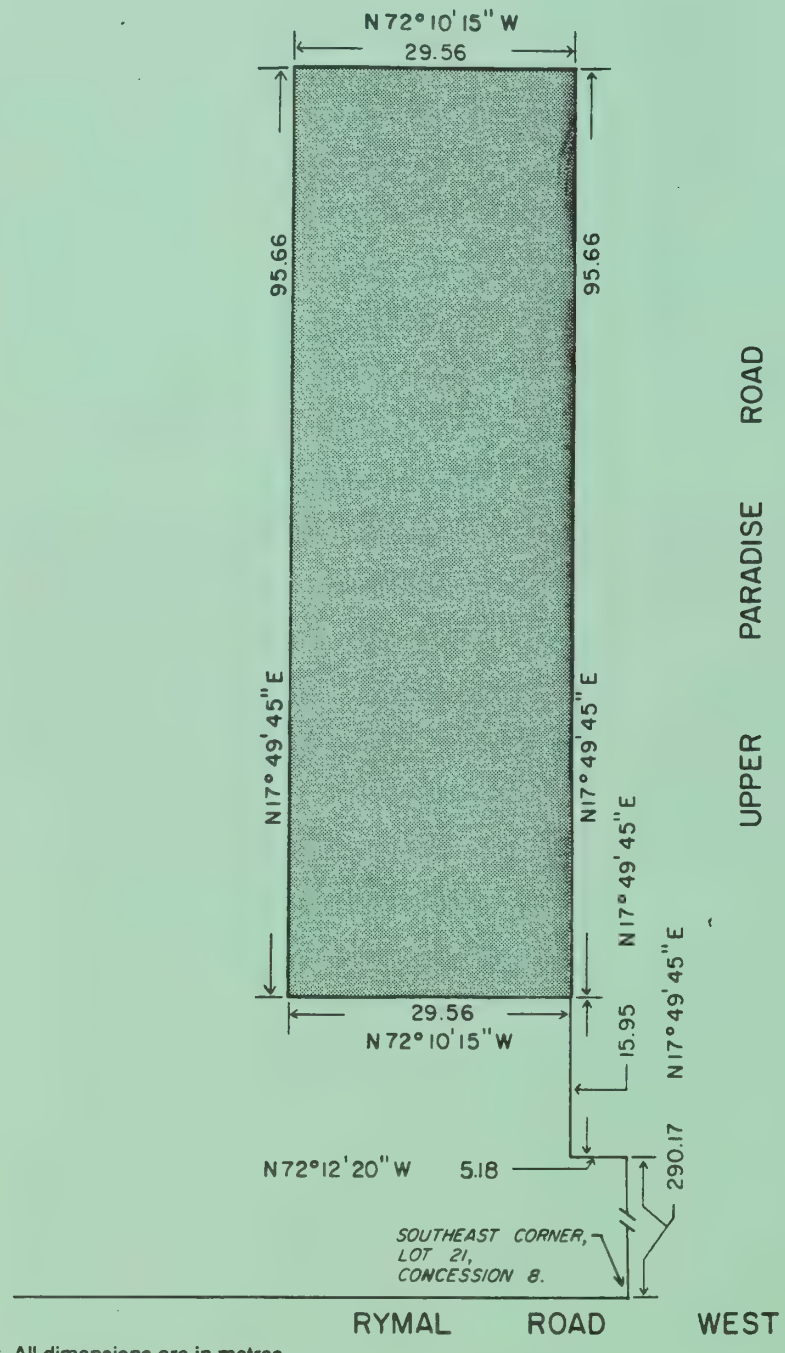
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk

Mayor

(1991) 14 R.P.D.C. 9, October 8
James and Mary Miklos, Owners
ZA-91-45



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ..... ,1991.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"AA"(Agricultural) District to "C"(Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-45
	Date	Drawn By
	OCTOBER, 1991	P.B.

Bill No. C- 7

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF THE PROPOSED EXTENSION OF UPPER WENTWORTH STREET, IN THE AREA SOUTH OF RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"RT-10"** (Townhouse) District to **"RT-20"** (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"RT-20"** (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 10E(2)(a)3. of By-law No. 6593, street townhouses shall be prohibited fronting onto the proposed extension of Upper Wentworth Street.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1252.

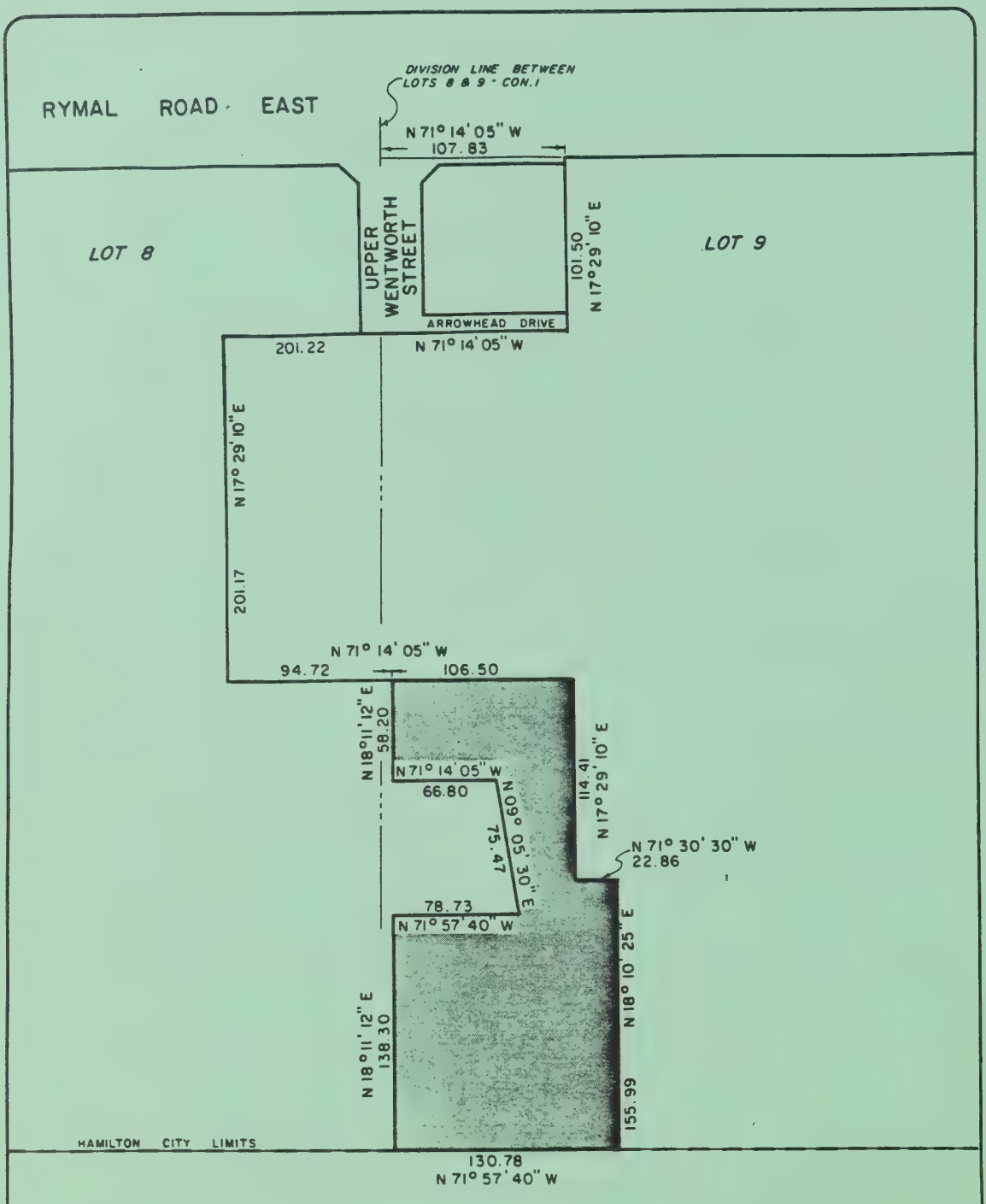
5. Sheet No. E-27E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1252.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 15 R.P.D.C. 20, October 29.
Rymal Gardens Inc., Owner
ZA-91-48



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ....., 1991.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"RT-10" (Townhouse) District to "RT-20" (Townhouse - Maisonette) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-48
	Date	Drawn By
	NOVEMBER, 1991	L.B.

Bill No. C-8

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-128

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 837, 845 and 867 RYMAL ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-128 on the 25th day of June 1991 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "RT-20" District and "HH" District, in respect of the land located at Municipal Nos. 837, 845 and 867 Rymal Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 10 of the 15th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 91-128, be further amended to delete Schedule "A" to By-law No. 91-128 and replace it with a revised Schedule "A" to correct technical errors in the dimensions for the front and rear lot lines of Block 2 and the westerly side lot line of Block 4, in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 91-128 is hereby revoked and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

2. In all other respects, By-law No. 91-128 is hereby confirmed, unchanged.

3. By-law No. 6593 is amended by adding this by-law to Section 19B as S-1226a.

4. Sheets No. E-38D and E-38E of the District Maps are amended by marking the land referred to in section 1. (a), (b) and (c) of By-law No. 91-128, S-1226a.

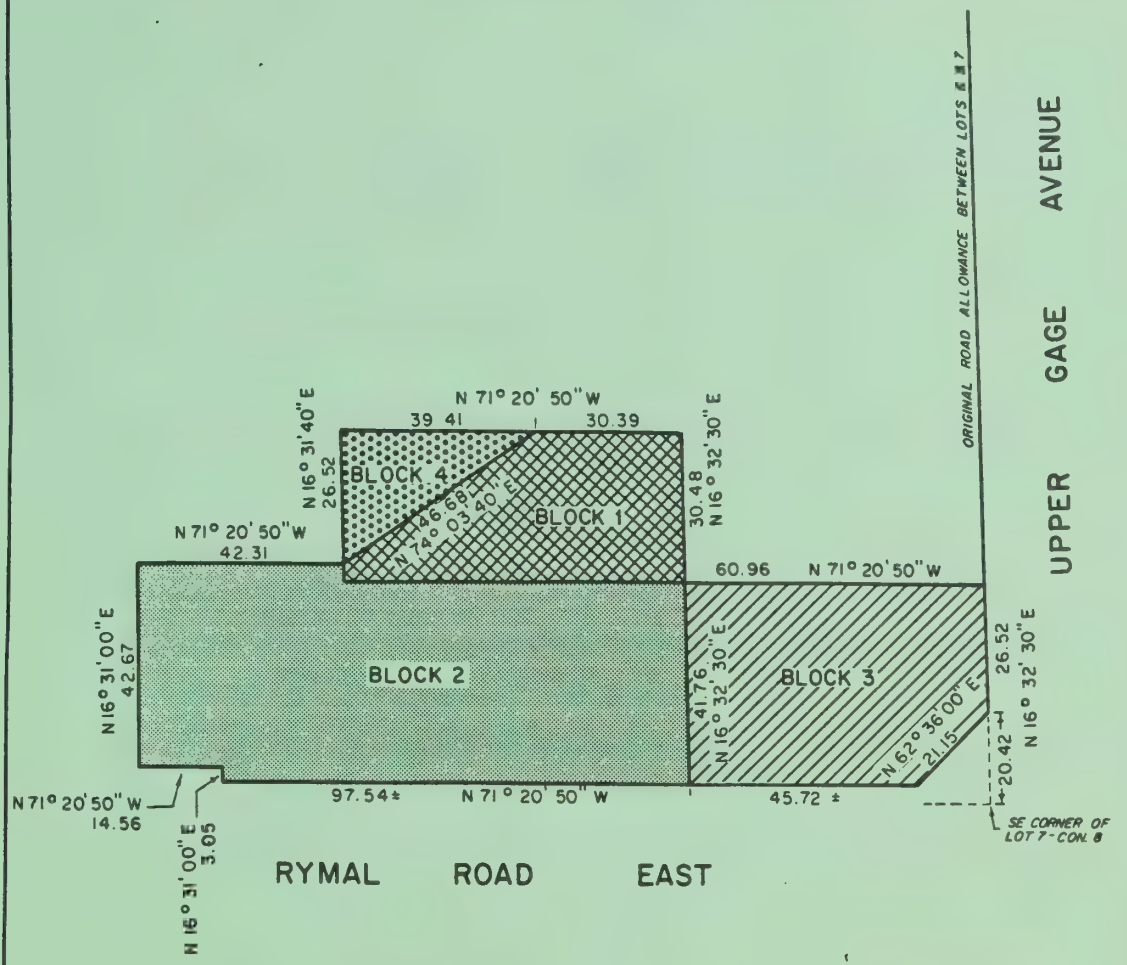
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 7 R.P.D.C. 10, April 30
(1991) 15 R.P.D.C. 10, October 29
Jerome Calzonetti, Owner
Amended ZA-90-32

REVISED SCHEDULE "A" TO BY-LAW N° 91-128



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ....., 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Changes in zoning from:

BLOCK 1 — "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, Modified.

BLOCK 2 — "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, Modified

BLOCK 3 — "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, Modified.

BLOCK 4 — "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-32
	Date	Drawn By
	SEPTEMBER, 1991	L.B.

Bill No. C-9

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1100 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-59A and E-59B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from **"RT-10"** (Townhouse) District to **"DE"** (Low Density Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"DE"** (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 10A of By-law No. 6593, only a multiple dwelling containing not more than 57 Senior Citizens' Dwelling Units shall be permitted;

   (b) for the purpose of this by-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, for qualifying senior citizens, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside;

   (c) notwithstanding Section 10A(2) of By-law No. 6593, a maximum height of not more than four storeys shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1251.

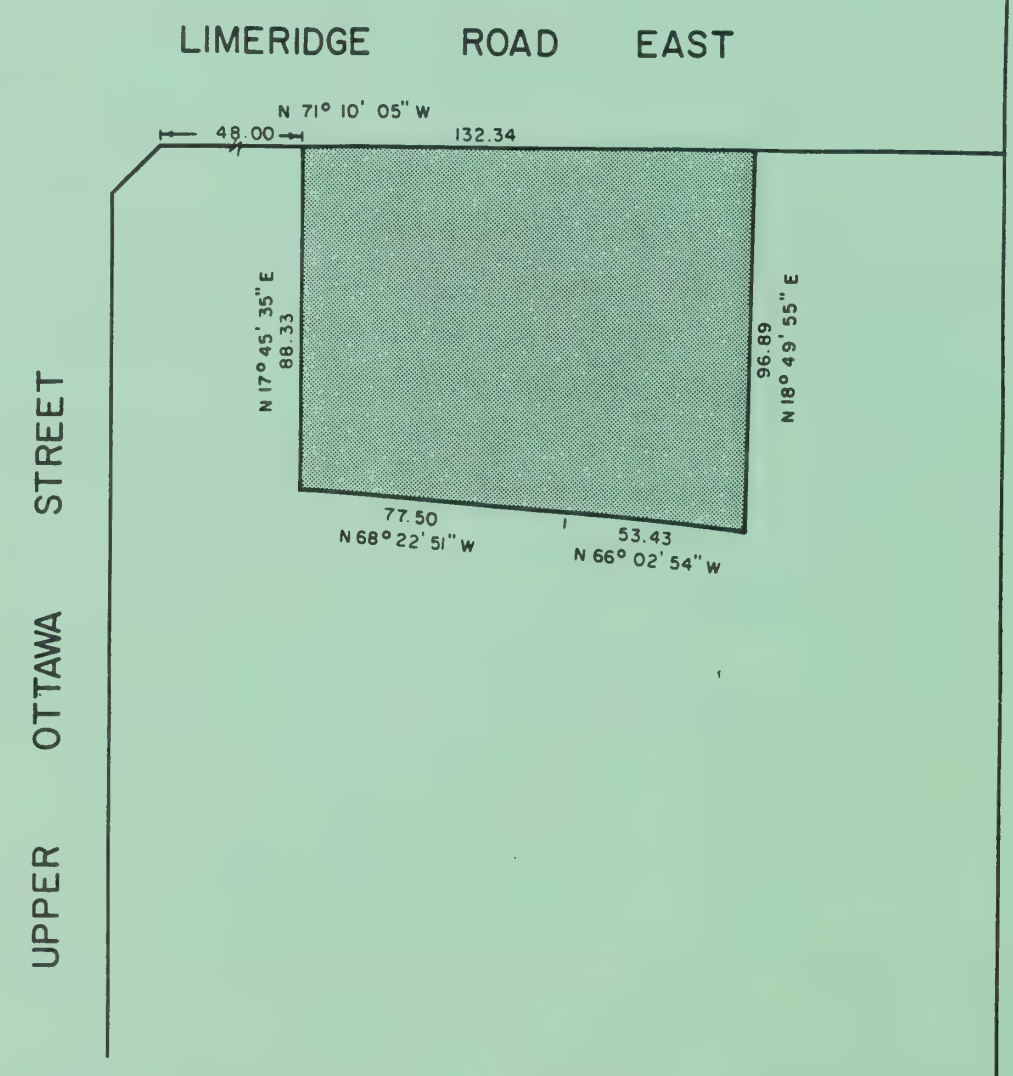
5. Sheets No. E-59A and E-59B of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1251.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 199 2.

City Clerk Mayor

(1991) 15 R.P.D.C. 18, October 29
City Initiative 91-F



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ....., 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"RT-10" (Townhouse) District to "DE"
(Low Density Multiple Dwellings) District, Modified.

North	Scale	Reference File No.
42	NOT TO SCALE	CI 91-F
	Date	Drawn By
	OCTOBER, 1991	L.B.

Bill No. C- 10

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Repeal:

Zoning By-law No. 91-144

Respecting:

LAND LOCATED AT MUNICIPAL NO. 402 UPPER WENTWORTH STREET (FORMERLY INVERNESS PUBLIC SCHOOL)

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-144 on the 30th day of July 1991 to change the zoning in respect of the land located at Municipal No. 402 Upper Wentworth Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 15 of the 15th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1991, recommended that Zoning By-law No. 91-144 be repealed, to return the site to the original "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District zonings respectively, in order that the City may proceed with its development plans;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 91-144 is hereby repealed.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk

Mayor

(1991) 15 R.P.D.C. 15, October 29
City of Hamilton, Owner
City Initiative 91-C

Bill No. C-11

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA NORTH OF RYMAL ROAD EAST AND EAST OF THE HYDRO RIGHT-OF-WAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 18(C) of the 12th Report of the Planning and Development Committee adopted by City Council on the 27th day of August 1991, have been satisfied;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

   (a) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire northerly lot line;

   (b) a landscaped planting strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly and westerly side lot lines of the subject lands which adjoin the residential property municipally known as No. 557 Rymal Road East.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1240.

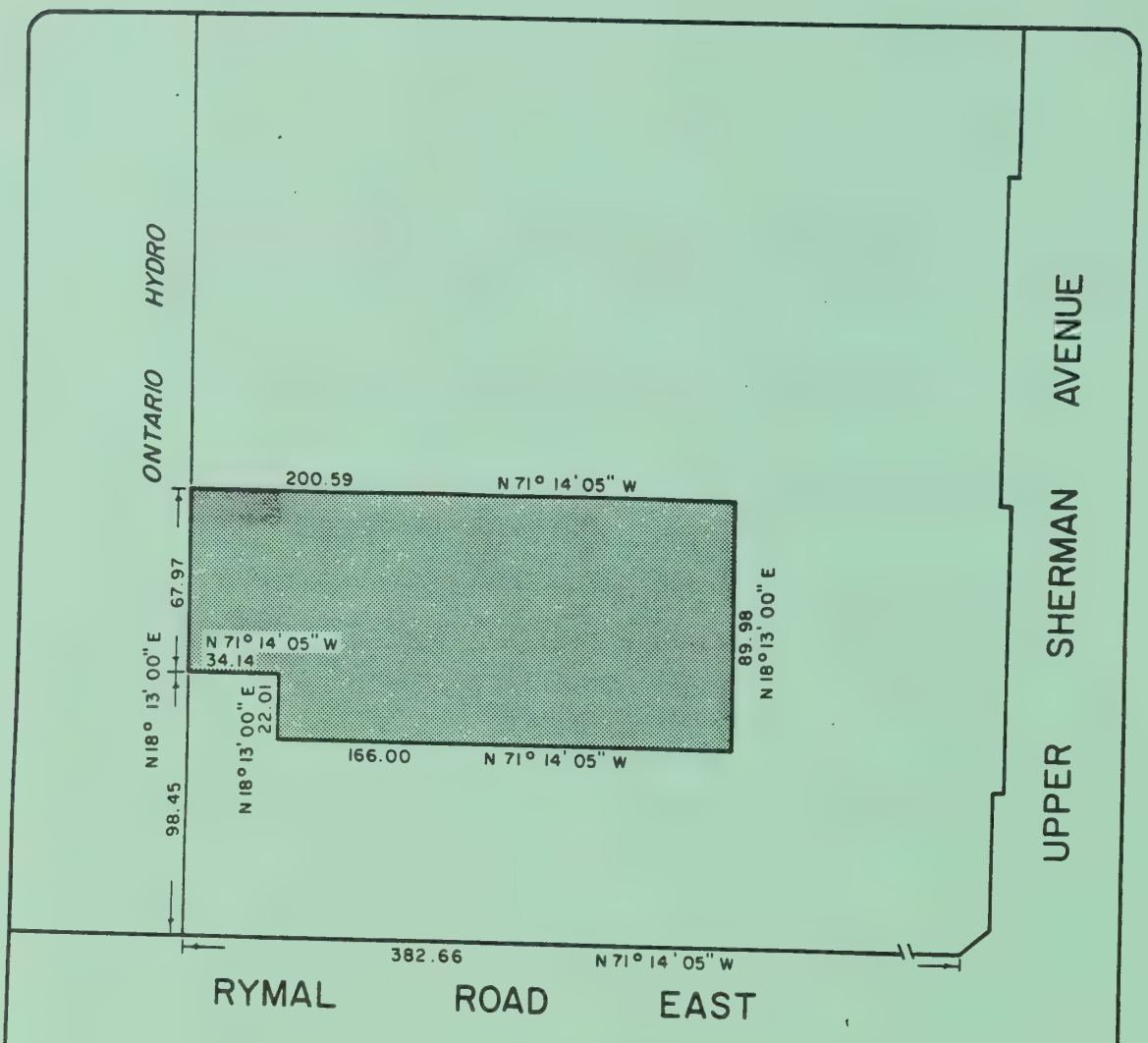
5. Sheet No. E-27D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1240.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 12 R.P.D.C. 18, August 27
Rymal Square Developments, Inc., Owner
Amended ZA-90-96



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ....., 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-96
	Date	Drawn By
	SEPTEMBER, 1991	L.B.

Bill No. C- 12

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 235 BOWMAN STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 235 Bowman Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

   (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

   (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 13 R.P.D.C. 8, September 24

Schedule "A"

To

By-law No. 92-

235 Bowman Street, Hamilton, Ontario

Lot 37, Registrar's Compiled Plan 1482, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

Schedule "B"

to

By-law No. 92-

REASONS FOR DESIGNATION

FORMER PRINCESS ELIZABETH SCHOOL, 235 BOWMAN STREET

Context:

The former Princess Elizabeth School at 235 Bowman Street, now the Irving Zucker College of Jewish Studies, is located on the eastern edge of the residential area of West Hamilton, near the foot of the escarpment. Set well back from the street on its original 3-acre piece of property, this distinctive early 20th century school building is surrounded by open space attractively landscaped with grass, shrubbery and mature trees. The school and its setting are enhanced by a panoramic view of the escarpment to the south and south-east.

Architectural Significance:

The present school building comprises the original West Hamilton School erected in 1922, a one-storey, brick-clad, steel and reinforced concrete structure with four classrooms built around a central auditorium, and the second storey built in 1930 to provide five additional classrooms. The original school and the later addition were designed respectively by the partnership of Warren & McDonnell and F.W. Warren. Considered to be specialists in school design, these two architects were responsible for designing a number of schools in the Hamilton area and throughout the province. Princess Elizabeth was among their most architecturally distinguished commissions, which also included the W.H. Ballard School in Hamilton's east end, reputedly "the largest public school in Canada" when it opened in 1923, and the Elizabeth Zeigler School in Waterloo, opened in 1931.

Ranking among Hamilton's finest early 20th century school buildings, Princess Elizabeth is one of several outstanding examples of the Collegiate Gothic style. Characteristic of this style is the emphasis on horizontal lines (accentuated in Princess Elizabeth School by its low profile and stone banding) and the prominent central entrance with a Tudor-arched doorway and carved stone Gothic detailing. Of particular architectural interest is the unusual turreted frontispiece of the second storey addition, which is crowned by a crest displaying the symbol of learning: an open book.

The school building's obvious appeal to children stems from its inviting scale, the fanciful quality of its architectural detail, and the natural light and views provided by the large multi-paned classroom windows reaching almost to the floor. The architectural integrity of the exterior is remarkable: except for minor alterations to the two side entrances and the replacement of the original carved stone West Hamilton School sign, the three main facades (north, south and west), including the original front entrance doorway and the windows, have been preserved intact.

Princess Elizabeth was one of relatively few early 20th century public schools in Ontario planned with the classrooms located around a central auditorium lit from above, a feature of only two other Hamilton schools: Memorial and W.H. Ballard. The original auditorium, a spacious two-storey multi-purpose hall designed to accommodate assemblies, indoor sports and athletics, concerts and lectures, and various other school and community activities, had an impressive interior space illuminated by a large central skylight. The coved ceiling still features the original grid of twenty amber glass panels, which diffuses natural or artificial light from above. The auditorium space was modified in 1930 by the addition of the second storey classrooms and corridor forming an open cantilevered balcony around three sides, and was further altered in 1971 by the enclosure of this balcony by a solid partition wall with small windows and the consequent obscuring from view of the ceiling cornice at the ground floor level.

Historical Significance:

Built to accommodate children from the thriving Village of West Hamilton, the original West Hamilton School was commissioned by the Wentworth County Board in response to ratepayers' demands for a new facility to relieve the overcrowding at Binkley, the only public school then serving a large area encompassing the village. Following the annexation of the village by the City of Hamilton in 1930, the West Hamilton School (then under the jurisdiction of the Hamilton Board of Education) was doubled in size. Renamed Princess Elizabeth School in 1940, the building served as a public school until 1983, when its pupils were all transferred to Prince Philip School on Rifle Range Road. Leased for seven years to the Wentworth Montessori School, the building was purchased in 1991 by the Hamilton Hebrew Academy for use as a seminary.

Designated Features:

Important to the preservation of the former Princess Elizabeth School are the original features of the west (front), north and south facades, and on the interior: the entrance hallway, two original stairways, corridors and auditorium. Included is the decorative stonework, the original steel-sash windows and wood doors (interior and exterior), the coved ceiling and skylight of the auditorium, the glazed wall tile and original woodwork. Excluded are the rear wall and the modern fire-rated partition walls enclosing the balcony and stairwells.

Bill No. C-13

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 952 AND 954 CONCESSION STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 33(b) of the 1st Report of the Planning and Development Committee adopted by City Council on the 29th day of January 1991, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"C"** (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) notwithstanding Section 9(1) of By-law No. 6593, the following Commercial Uses shall be permitted within the existing building only,

1. Offices for medical or dental practitioners;
2. Professional person's office;
3. Photographer's studio;
4. Barbershop or hairdressing establishment;
5. A confectionary store;
6. Retail drugstore;
7. Video store;
8. Retail delicatessen store;
9. Florist;
10. A collecting and distributing station for a laundry or a dry-cleaning establishment;
11. Drapery and Blinds Store;
12. Pet Store;
13. Retail grocery store;
14. Self-Service Laundry;
15. Retail bakery;

(b) Section 18A(27) of By-law No. 6593 shall not apply.

2. The "G-3" (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) Section 13C(3)(i) of By-law No. 6593 shall not apply;

(b) notwithstanding Section 13C(3)(ii) of By-law No. 6593, a landscaped planting strip of not less than 1.5 m in width shall be provided and maintained along the westerly and southerly lot lines;

(c) notwithstanding Section 13C(3)(iii) of By-law No. 6593, a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and southerly lot lines.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "G-3" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1214.

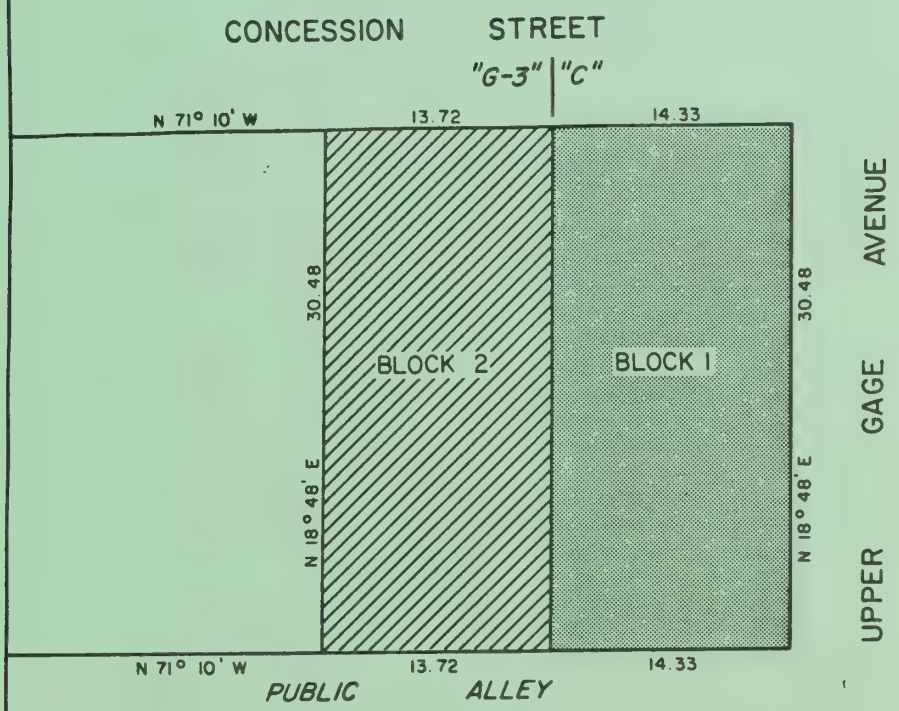
5. Sheet No. E-35 of the District Maps is amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1214.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 1 R.P.D.C. 33(a), January 29
Mr. and Mrs. M. Trikas, Owners
Amended ZA-90-69



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the ..... day of ..... ,1991.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1
BLOCK 2

Lands to be regulated by
By-Law No. 91-

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-69
	Date	Drawn By
	JANUARY, 1991	L.B.

Bill No. C-14

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 84-103

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 41-45 CATHCART STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-103 on the 24th day of April 1984 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located at Municipal Nos. 41 and 45 Cathcart Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 5th Report of the Planning and Development Committee at its meeting held on the 26th day of March 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 84-103, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS the special condition relating to this rezoning, referred to in Section 4(b) of the 5th Report of the Planning and Development Committee adopted by City Council on the 26th day of March 1991, has been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 84-103, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

(a) Section 1.(a) of By-law No. 84-103 is amended by changing the number "16" in the fourth line to "22", so that the revised clause (a) reads as follows:

"(a) notwithstanding subsection 10(1) of By-law No. 6593, a residential care facility for the accommodation of not more than 22 residents shall be permitted in the existing building;";

(b) Section 1.(b) of By-law No. 84-103 is amended by changing the number "205 m^2" to "148 m^2" so that the revised clause (b) reads as follows:

"(b) an outdoor amenity area not less than 148 m^2 shall be provided and maintained on the lot;".

2. Section 1.(d) of By-law No. 84-103 is deleted.

3. The following new clauses are hereby added to Section 1 of By-law No. 84-103:

(d) notwithstanding subsection 18A.(7) of By-law No. 6593, the 4 parking spaces situated in the required front yard shall have a width of not less than 2.6 m;

(e) notwithstanding subsection 18A.(9) of By-law No. 6593, the required manoeuvring space for the 8 required parking spaces may be located off-site;

(f) subsections 18A.(11) and (12) of By-law No. 6593 shall not apply;

(g) notwithstanding subsection 18A.(14) of By-law No. 6593, 4 of the required 8 parking spaces may be located within the required front yard.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in sections 1 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-861a.

6. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-861a.

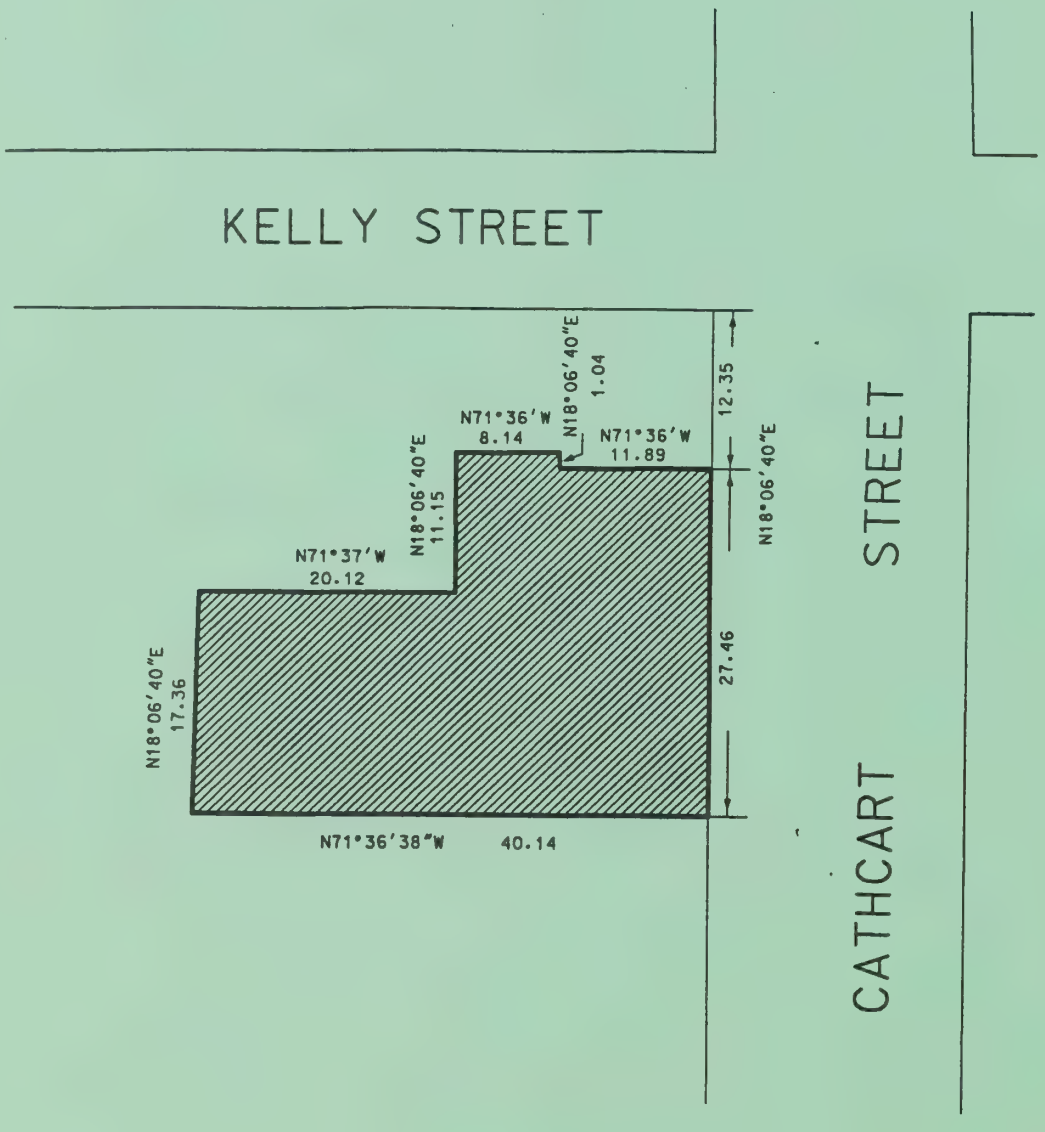
7. In all other respects, By-law No. 84-103 is hereby confirmed, unchanged.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1991) 5 R.P.D.C. 4, March 26
740898 Ontario Inc. (Leroy McCarthy and Elaine McCarthy), Owners
ZA-90-70



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 -____
Passed the _____ day of _____, 199

_____
Clerk

_____
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -_____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by By-Law No. 9 -

North	Scale	Reference File No.
	NOT TO SCALE	ZA90-70
	Date	Drawn By
	APRIL, 1991	T.A.

Bill No. C-15

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 773 LAWRENCE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the special condition relating to this rezoning, referred to in Section 15(c) of the 6th Report of the Planning and Development Committee adopted by City Council on the 13th day of March 1990, has been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

   (a) notwithstanding Sections 19(iii) and (vi) of By-law No. 6593, not more than three dwelling units shall be permitted within the building existing on the date of the passing of this by-law, of which one dwelling unit shall have a floor area of not less than 49.0 m^2;

   (b) notwithstanding the requirements of Section 18A of By-law No. 6593, not less than three parking spaces having dimensions of not less than 2.7 m in width and 6.0 m in length, shall be provided and maintained on the lot.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1164.

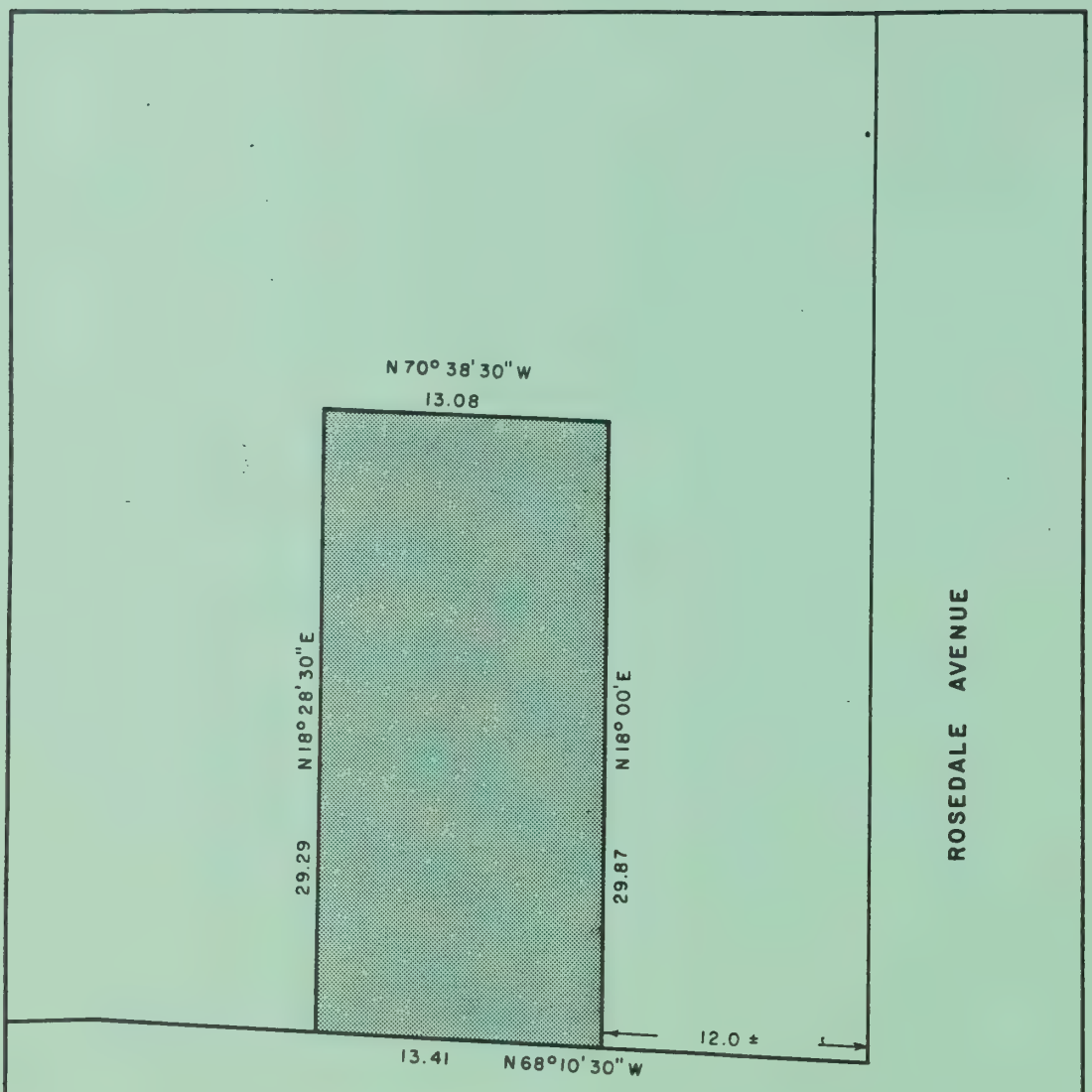
4. Sheet No. E-66 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1164.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1990) 6 R.P.D.C. 15(a), March ~~13~~
Ahmad Jan Karchi, Owner
ZA-89-122



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 9 -_____
PASSED THE_____ DAY OF_____ 199

_____
Clerk

_____
Mayor

CITY OF HAMILTON

SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 9 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

LANDS TO BE REGULATED BY BY-LAW NO. 9 -

North	Scale	Reference File No.
	NOT TO SCALE	ZA 89-122
	Date	Drawn By
	MARCH 16, 1990	Z. K.

Bill No. C-16

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 773 LAWRENCE ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

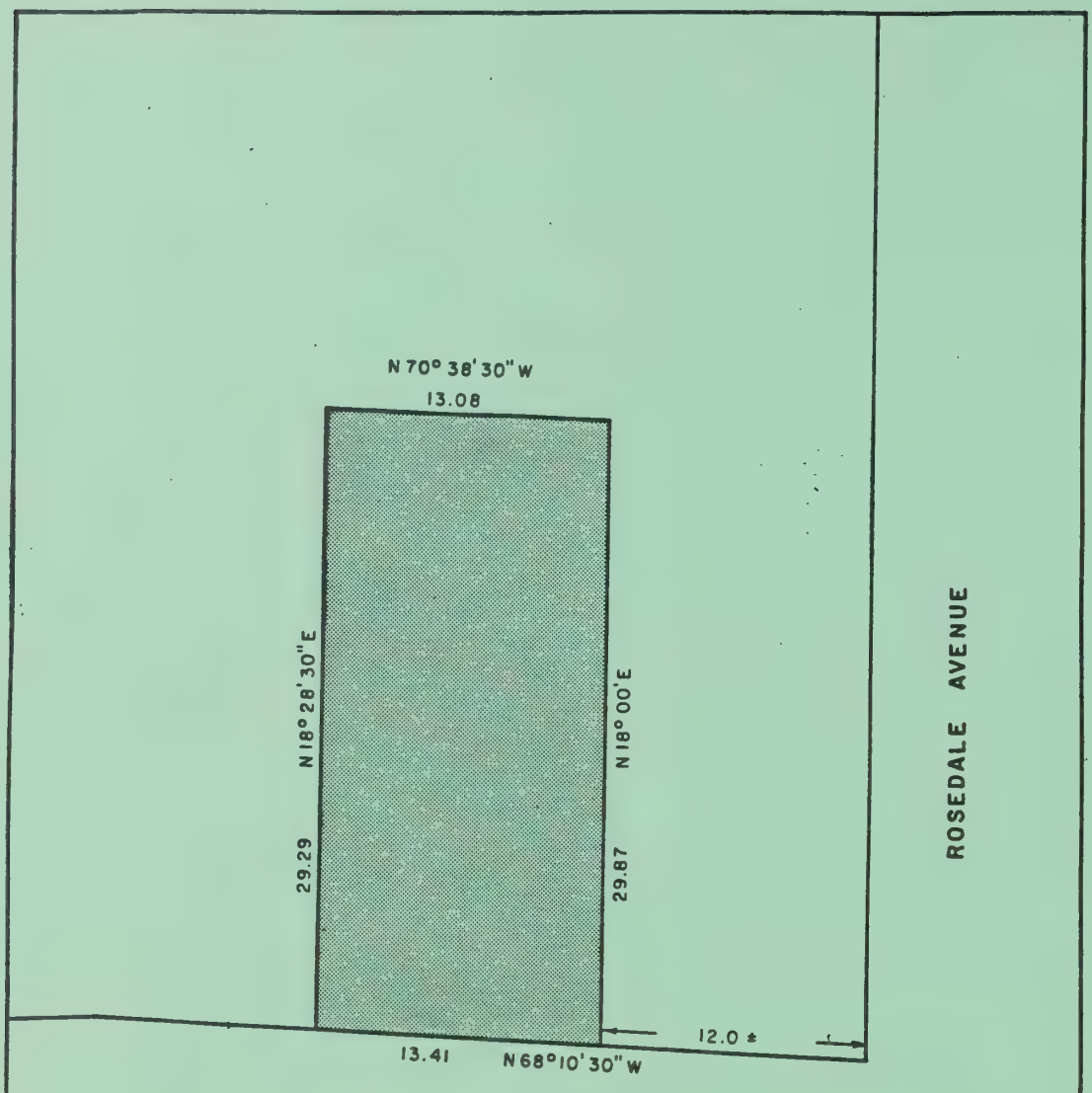
123. Land located at Municipal No. 773 Lawrence Road, shown on Appendix 123 hereto annexed and forming part of this by-law.

2. Appendix 123 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1990) 6 R.P.D.C. 15(b), March 13
Ahmad Jan Karchi, Owner
ZA-89-122



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 9 -_____
PASSED THE_____ DAY OF_____ 199

_____
Clerk

_____
Mayor

CITY OF HAMILTON

APPENDIX 123
TO BY-LAW NO. 79-275

AS AMENDED BY
BY-LAW NO. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

LANDS DESIGNATED UNDER THIS BY-LAW AS AN AREA OF SITE PLAN CONTROL PURSUANT TO SECTION 40 OF THE PLANNING ACT.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 89-122
	Date	Drawn By
	MARCH 16, 1990	Z. K.

Bill No. C-17

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-176

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 122-126 MACNAB STREET SOUTH, 109, 111 AND 123 CHARLES STREET and 40 and 42 BOLD STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-176 on the 24th day of September 1991 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E-3" (High Density Multiple Dwellings) District, in respect of the land located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 14 of the 1st Report of the Planning and Development Committee at its meeting held on the 14th day of January 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 91-176, be further amended to delete Schedule "A" to By-law No. 91-176 and replace it with a revised Schedule "A" to correct a technical error in the Schedule wherein the dimensions of the above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, were shown in feet and the legend of the by-law stated that the dimensions were in metres; and to correct a typographical error in Section 5 of By-law No. 91-176;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 91-176 is hereby revoked and Revised Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

2. Section 5 of the said by-law is amended by deleting "section 1" in the second line and substituting in lieu thereof, "section 2".

3. In all other respects, By-law No. 91-176 is hereby confirmed, unchanged.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1239a.

5. Sheet No. W-5 of the District Maps is amended by marking the land referred to in Section 2 of By-law No. 91-176, S-1239a.

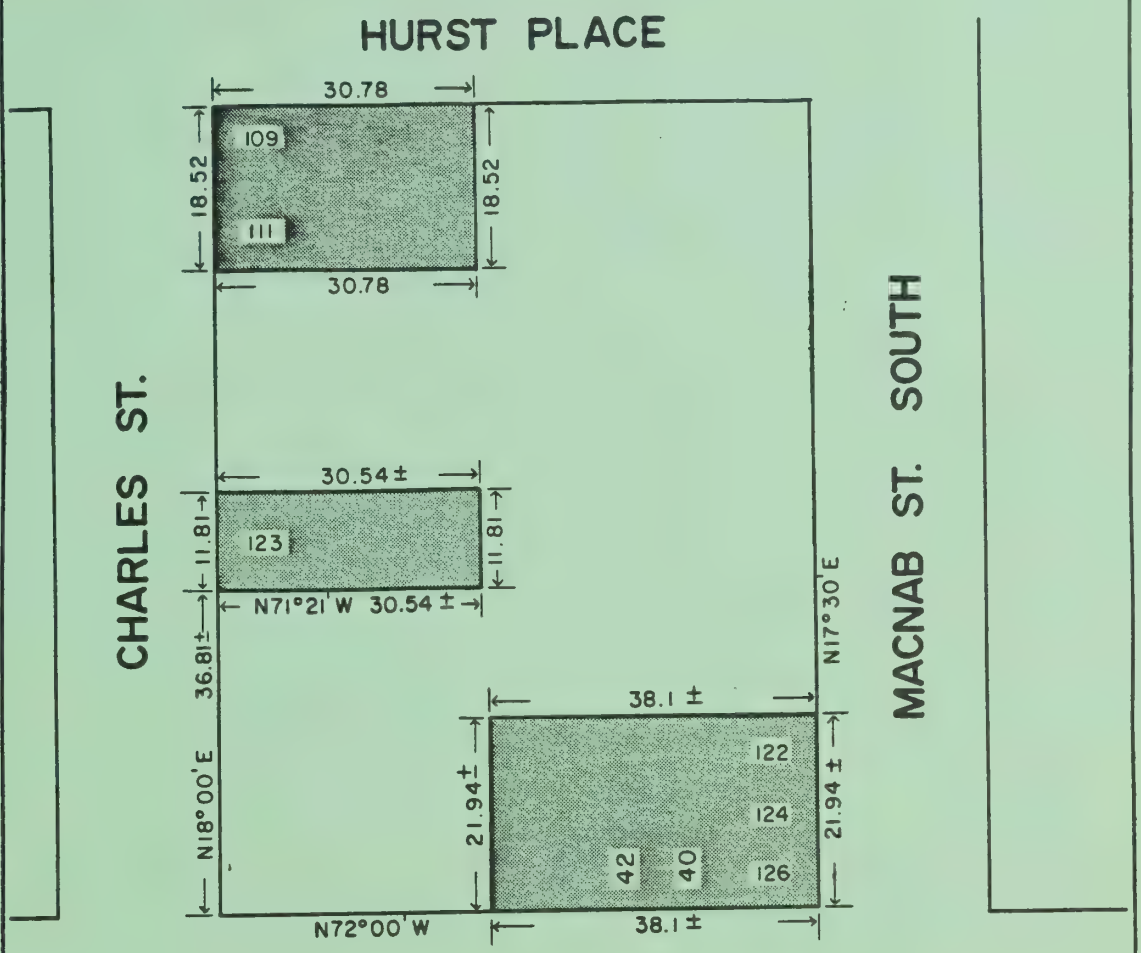
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992) 1 R.P.D.C. 14, January 14
City Initiative 91-B

REVISED SCHEDULE "A"
TO BY-LAW No. 91-176



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the ..... day of ....., 1992.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 92-.....

North	Scale	Reference File No.
	NOT TO SCALE	C.I. 91-B
	Date	Drawn By
	NOVEMBER, 1991	P.B..

Bill No. H-8

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend Market By-law No. 81-180

Respecting FEES

WHEREAS By-law No. 81-180, passed on the 23rd day of June 1981, provides in Schedule "B" thereof for the establishment of fees for the use of the Hamilton Farmers' Market;

AND WHEREAS Schedule "B" to By-law No. 81-180 was re-enacted and amended by By-law No. 81-267, By-law No. 82-34, By-law No. 83-024, By-law No. 84-278, By-law No. 86-60, By-law No. 86-340, By-law No. 87-324, By-law No. 87-352, By-law No. 88-269, and By-law No. 89-372, and By-law No. 90-356;

AND WHEREAS the Council of The Corporation of the City of Hamilton, has directed that Market By-law No. 81-180, as amended, be further amended to revise the fees in Schedules "B" and "1", effective the first day of January 1992, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 81-180, as added to by Schedule "1", and as re-enacted and amended aforesaid, is repealed, and Schedule "B" to this By-law substituted therefor.

2. In all other respects, By-law No. 81-180, as re-enacted and amended, is hereby confirmed without change.

PASSED this day of December, A.D. 1991.

City Clerk Mayor

(1992)

SCHEDULE "B"

To By-law No. 92-

SCHEDULE "B"
(Section 7)

PART 1 : PRODUCERS AND DEALERS FEES

Stand Number	Location	Amount of Producers and Dealers Fees Per Month	Per Day	Yearly
1 to 8	(Refrigeration Units)	$270.00	N/A	$3,240.00
12 to 18	(Refrigeration Units)	$270.00	N/A	3,240.00
22	(Refrigeration Units)	$270.00	N/A	3,240.00
9,10,11	(Refrigeration Units)	$225.00	N/A	2,700.00
19,29,21	(Refrigeration Units)	$225.00	N/A	2,700.00
23 to 46	RAMP	$157.00	$25.00	1,884.00
47 TO 62a	North Wall - Main Floor	$157.00	$25.00	1,884.00
63 to 70	West Wall - Main Floor	$157.00	$25.00	1,884.00
71 to 95	South Wall - Main Floor and Under Ramp	$157.00	$25.00	1,884.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00 p.m.)	$157.00	$25.00	1,884.00
101 to 111	East Wall - Main Floor	$157.00	$25.00	1,884.00
112 to 143	Stands in Middle from East to West (North Side)	$157.00	$25.00	1,884.00
144 to 175	Stands in Middle from West to East (South Side)	$157.00	$25.00	1,884.00
30a, 35a, 37a, 46a		$ 87.00	$12.00	1,044.00
70a, 72a		$ 66.00	$12.00	792.00
92		$221.00	$25.00	2,652.00
176	Coffee Shop	$314.00	N/A	3,768.00

PART 2 : DEALERS FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

Stand No.'s	Dealers Fees per Annum
1 to 76	$91.00

PART 3 : PRODUCERS AND DEALERS FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance.....$7.00 per day.

PART 4 : FRIDAY MARKET FEES

8 FT. Refrigeration Unit .....$17.00 per day
12 FT. Refrigeration Unit .....$21.00 per day
Regular Stands .....$12.00 per day
Each Additional Stand .....$ 7.00 per day
Coffee Shop .....$23.00 per day
Daily Users Fees .....$25.00 per day

Bill No. H-9

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF JANUARY A.D., 1992.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1992

CITY CLERK **MAYOR**

URBAN/MUNICIPAL
CA4 ON HBL A05
A31

J. J. SCHATZ
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

PHONE (416) 546-2700
FAX (416) 546-2095

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, January 28, 1992
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. Opening Prayer

Reverend Desmond Fleming
St. Stephen on the Mount

URBAN MUNICIPAL
GOV MENT DOCUMENTS

2. Presentation

1991 Ontario Juvenile Golf Championship Civic Award - Mitch Mahoney

3. Proclamations

(a) Heart and Stroke Month - February 1992

(b) White Cane Week - February 2 to February 8, 1992

(b) Victorian Order of Nurses Week - January 26 to February 1, 1992

(c) International Development Week - February 3 to February 7, 1992

4. **Minutes**

January 14, 1992

5. **Petitions and Correspondence**

6. **Reports of the Standing Committees**

(a) Transport and Environment Committee

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(h) Finance and Administration Committee

7. **Notices of Motion for Next Meeting**

8. **First Reading of the Bills**

9. **Second Reading of the Bills - Committee of the Whole**

10. **Third Reading of the Bills**

11. **Question Period**

12. **Adjournment**

MINUTES

Hamilton City Council
January 14, 1992
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow,

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called for a moment of private meditation prior to commencing the meeting.

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Mayor Morrow proclaimed the following:

"Jaycee Week" for the week of January 20th - 26th, 1992

"National Non-Smoking Week" for the week of January 20th - 26th, 1992

"Day of the Artist" on January 17th, 1992.

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Mayor Morrow administered the "Declaration of Appointed Office" to Mr. Joseph J. Schatz, City Clerk.

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The minutes of the meetings held October 29, 1991, December 6, 1991 and December 10, 1991 were taken as read and approved.

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Correspondence:

1. Letter dated 1991, December 30, from Grant Inouye respecting removal of name from taxi plate priority list.

   Received.

2. Letter dated 1992, January 7, from Craig Chudyk re: taxi cab priority list.

   Received.

3. Letter dated 1991, November 19, from the Hamilton Harbour Commissioners re: S. McNally and Sons Limited, -v- Her Majesty the Queen.

   Referred to the Transport and Environment Committee.

4. Resolution dated 1991, October 18, from Township of Limerik respecting the Ministry of Environment to amend the Environmental Protect Act, Part VII, Section 67(1) regarding including some measure of inspection, and correction if necessary, of those systems that were installed before the 15th day of April, 1974.

   Referred to the Transport and Environment Committee.

5. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-176 regarding Property and Lands Located at 122-126 MacNab Street South and Nos. 109, 111 and 123 Charles Street, Hamilton, Ontario. (previously distributed)

   Received.

6. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-206 regarding Property at Lands Located at the Southwest Corner of Upper Sherman Avenue and Limeridge Road East, Hamilton, Ontario (previously distributed)

Received.

7. Letter dated 1991, December 17, from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-207 regarding Property at Lands Located on the West Side of Rice Avenue, South of Chedmac Drive, Hamilton, Ontario. (previously distributed)

Received.

8. Letter dated 1992, January 9, from Mr. J. J. Schatz, City Clerk respecting an objection to By-law 92-002 regarding property at 126 Lilacside Drive, Hamilton, Ontario. (previously distributed)

Received.

9. Letter dated 1992, January 9, from Mr. J. J. Schatz, City Clerk respecting objections to By-law 92-003 regarding property at 1341 Upper James Street, Hamilton, Ontario. (previously distributed)

Received.

10. Application dated 1991, October 28, from J. Beume Real Estate Ltd, Toronto, Ontario for a change in zoning from "Lmr-2" (Planned Development - Multiple Residential) (District to "H" (Community Shopping and Commercial, etc.) District modified for 121 Augusta Street, Hamilton, Ontario.

Received.

11. Application dated 1991, October 28, from West Highland Baptist Church, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District for 1605 Garth Street, Hamilton, Ontario.

Received.

12. Application dated 1991, October 30, from 467052 Ontario Limited, c/o Tim Donut Limited, Oakville, Ontario for a change in zoning from "D" (Urban Protected Residential One and Two Family Townhouses, etc.) District and "H" (Community Shopping and Commercial, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 261 Wellington Street North and 263 Wellington Street North, Hamilton, Ontario.

Received.

13. Application dated 1991, October 30, from Agommen Ltd, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to "DE-3" (Multiple Dwellings) District for 165 Burton Street, Hamilton, Ontario

Received.

14. Application dated 1991, October 30, from Aurelia Paul, Greg Paul and Sharon Paquette for a modification to the "C" (Urban Protected Residential, etc.) District for 300 East 34th Street, Hamilton, Ontario.

Received.

15. Application dated 1991, November 5, from Ernie Schoenholz and Tom Schoenholz, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc. District for No. 719 Knox Avenue, Hamilton, Ontario.

Received.

16. Application dated 1991, November 8, from The Barn Fruit Markets Inc. Hamilton, Ontario for a modification to the "JJ" (Restricted Light Industrial) District for property at No. 2371 Barton Street East, Hamilton, Ontario.

Received.

17. Application dated 1991, November 22, from Benemar Construction Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for land in the area south of Rymal Road East and west of the proposed extension of Upper Wentworth Street, Hamilton, Ontario.

Received.

18. Application dated 1991, November 22, from Sylvia Tofano, Millgrove, Ontario for a change in zoning from "DE-2" (Multiple Dwellings) District to "Commercial" for property at No. 809 Main Street East, Hamilton, Ontario.

Received.

19. Application dated 1991, November 26, from Lily Trieu, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 22 Greig Street, Hamilton, Ontario.

Received.

20. Application dated 1991, December 3, from 200 Rymal Road Inc. c/o John A. Parente, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District for 200 Rymal Road East, Hamilton, Ontario.

Received.

21. Application dated 1991, December 3, from A B D Technology Inc., Hamilton, Ontario for a modification to the "M-14" (Prestige Industrial) District for 55 Lancing Drive, Hamilton, Ontario.

Received.

22. Application dated 1991, December 3, from Artaban Non-Profit Homes Inc., Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District modified for 322-330 Charlton Avenue West, Hamilton, Ontario.

Received.

23. Application dated 1991, December 3, from Angelo Salciccioli, Stoney Creek, Ontario for a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District for 1067 Rymal Road East, Hamilton, Ontario.

Received.

24. Application dated 1991, December 6, from Vladimir Baotic, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District for 314-318 Queenston Road, Hamilton, Ontario.

Received.

25. Application dated 1991, December 11, from Joyce Maria Carnicelli and Carriage Gate Homes Ltd., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for 1406 and 1418 Upper Sherman Avenue, Hamilton, Ontario.

Received.

26. Application dated 1991, December 11, from Domenico DeRosa, Stoney Creek, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 547 Wilson Street, Hamilton, Ontario.

Received.

27. Application dated 1991, December 11, from Brusan Development Corporation, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 655 Rymal Road West, Hamilton, Ontario.

Received.

28. Application dated 1991, December 12, from Vittorio Ciardullo, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 66 Alderson Drive, Hamilton, Ontario.

Received.

29. Application dated 1991, December 17, from 959945 Ontario Limited c.o.b. White Rose Centre for removal of the "H" symbol for land at Nos. 1400 - 1416, Hamilton, Ontario.

Received.

30. Application dated 1991, December 30, from Josip Kozar, Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for part of the property at No. 1605 Main Street East, Hamilton, Ontario.

Received.

31. Application dated 1992, January 7, from Tyka Investments Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to RT-30" (Street Townhouses) and "R-4" (Small Lot Single-Family Detached) District for 1158 Upper Wentworth Street, Hamilton, Ontario.

Received.

32. Letter dated 1992, January 13 from Mr. J. J. Schatz, City Clerk respecting (3 additional) objections to By-law 92-003 regarding property at 1341 Upper James Street, Hamilton, Ontario.

Received.

33. Letter dated 1992, January 13 from Mr. J. J. Schatz, City Clerk respecting an additional objection to By-law 92-002 regarding property at 126 Lilacside Drive, Hamilton, Ontario.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee, with Alderman Cooke, in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 28 Re: Banner across Main Street - Wife Assault Prevention Month

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 38 Re: Transfer of PCB's waste from Etobicoke to Burlington St. E.

It was moved by Alderman Merling and seconded by Alderman Wilson that Section 38 of the First Report of the Transport and Environment Committee be amended by adding the following as sub-section (c)

(c) That the transfer of PCB waste from PCB Storage Sites outlined in sub-section (a) above be subject to the concurrence of the Region's Environment Committee.

Recorded vote on Section 38

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -15.

NAYS: Aldermen Kiss, Copps. -2. **CARRIED.**

Section 39 Re: Pat's Disposal Service Ltd. - 306 Lake Avenue North

It was moved by Alderman Merling and seconded by Alderman Jackson that Section 39 of the First Report of the Transport and Environment Committee regarding Pat's Disposal Service, **be deleted.** **CARRIED.**

PARKS AND RECREATION COMMITTEE - FIRST REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT

Section 14 Re: Amend By-law 91-176 - MacNab St., Charles St. and Bold St.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 14 of the First Report of the Planning and Development Committee for 1992 be amended as follows:

> "by adding the words "40 and 42 Bold Street" after "Charles Street" on the last line of the resolution. **CARRIED.**

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Section 21 Re: Appointment of Aldermen to Ottawa Street B.I.A. Area

Alderman Ross declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Ross's wife owns and operates a store in the Ottawa Street B.I.A.

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Section 36 Re: Official Plan Amendment No. 104 for 623 Upper James Street.

It was moved by Alderman Merling seconded by Alderman Anderson that Section 36 of the First Report of the Planning and Development Committee, be amended by deleting subsection (c). **CARRIED.**

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Section 40 Re: Zoning Application 91-40 for 478 and 488 Rymal Road East

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 40 of the First Report of the Planning and Development Committee, **be referred back.**

CARRIED.

LICENSING COMMITTEE - FIRST REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FIRST REPORT

Section 1 Re: Term of office for current citizen members on various Committees, Boards and Commissions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Copps, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Agro. -1. **CARRIED.**

Section 2 Re: Citizen Members - Keep Hamilton Clean Committee

It was moved by Alderman Ross and seconded by Alderman D'Amico that section 2 of the First Report of the Finance and Administration Committee, **be referred back.**

CARRIED.

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FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Section 38 Re: Purchase by Region - 1410 Limeridge Rd. E. - Red Hill Creek Expressway

It was moved by Alderman Ross and seconded by Alderman D'Amico that section 38 of the Second Report of the Finance and Administration Committee, be amended by adding the following:

38. b) ii) The Regional Municipality of Hamilton-Wentworth covenants and agrees that if The Regional Municipality of Hamilton-Wentworth resolves to dispose of some or all of the lands described in Box 5 of this Transfer/Deed, The Regional Municipality of Hamilton-Wentworth first shall offer the lands to be disposed of to The Corporation of the City of Hamilton at or for the price (or a proportionate amount of the price in the event of the disposition of only some of the said lands) set out in this Transfer/Deed. The benefit of this covenant and agreement is not assignable by The Corporation of the City of Hamilton.

c) That the Mayor and City Clerk by authorized to execute the required documentation. **CARRIED.**

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Section 39 Re: Cafeteria Food Services - Carmen's Catering Ltd.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -15.

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

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Section 54 Re: Hamilton Spectator Indoor Games - Grant $50,000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -15.

NAYS: Aldermen Kiss, Copps. -2. **CARRIED.**

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Section 61 Re: Confidential Report - Security - City Hall

It was moved by Alderman Drury and seconded by Alderman Agro that section 61 of the Second Report of the Finance and Administration Committee be amended by deleting recommendations 18 and 34 from the Confidential Recommendations contained in the background of the Report of the Director of Property dated 1991 November 18 which would generate a savings of approximately $15,000.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Merling, -7.

NAYS: Alderman Cooke, Kiss, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -10. **LOST.**

Recorded vote on section 61

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -15.

NAYS: Aldermen Agro, Copps. -2. **CARRIED.**

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FINANCE AND ADMINISTRATION COMMITTEE - THIRD REPORT

Section 1 & 2 - Art Gallery of Hamilton - exemption from payment of municipal realty taxes

Recorded vote.

YEAS: Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Mayor Morrow, Aldermen Agro, Agostino. -3. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills be now read a first time:

A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12.
C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17.
H-8 and H-9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12.
C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17.
H-8 and H-9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12.
C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17.
H-8 and H-9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12.
C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17.
H-8 and H-9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:45 o'clock p.m.

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J. J. Schatz,
City Clerk
1992 January 14

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REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1992 and respectfully recommends:

1. (a) That the additional funding in the amount of $1,300.00 for the City's share of municipal services in "Aquila Place - Phase 2" subdivision, be approved.

   (b) That the Finance and Administration Committee recommend the source of funding.

2. That the applications to retain inadvertent encroachments at the locations outlined on Appendix "A", appended hereto, be approved during the pleasure of Council provided:

   (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

   (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.

   (c) That the first year fee and subsequent annual fee outlined in Appendix "A" be set for these encroachments.

3. (a) That the following City lands be incorporated into the various streets as noted below:

Royalvista Drive	Parts 2 and 3 on Plan 62R-10200
Templemead Drive	Part 5 on Plan 62R-10200
Templemead Drive	Part 6 on Plan 62R-10200 and Part 13 on Plan 62R-9377
Elite Drive	Part 1 on Plan 62R-12045

   (b) That the By-laws attached to this report to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.

   (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-laws.

4. That the City of Hamilton Streets By-law No. 9329 (Section 9.3) be amended to allow certain types of advertising signs adjacent to abutting commercial properties as follows:

That temporary encumbrances such as ice, soft-drink, storage or vending machines, shelves for display of goods, fruit stands, portable signs, and large free-standing articles for sale, immediately adjacent to a building, and newspaper boxes, kiosks, bus shelters, and street furniture such as planter boxes, benches, etc., and other temporary encumbrances by the owner or lessee of an abutting commercial property upon a permit in writing from the Commissioner of Transportation/Environmental Services, after execution of an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save harmless the Corporation of the City of Hamilton for any and all actions, claims, demand and loss, whatsoever which may result, provided that such encumbrance,

(a) is not located where it may prove to be a safety hazard, or conflict with normal sidewalk operation such as at bus stop areas, and

(b) is not located within 5 metres of any driveway if the encumbrance is adjacent to a roadway, nor within 10 metres of any intersecting street measured from the curb line, and

(c) is not located within 1 metre of the edge of the roadway, and

(d) is permitted only where a minimum of 2 metres of unobstructed sidewalk on the road allowance remains, and

(e) has a maximum height of 0.8 metres if located on the roadway side of the sidewalk, and

(f) is not illuminated, and

(g) is not in excess of 1.2 metres in height, and

(h) is not in excess of 1.2 metres in length, and

(i) is not a "mobile sign", a "mobile sign" being any sign mounted on a trailer or other free-standing structure, that is designed or intended to be moved from place to place.

5. (a) That three existing Local 5 positions - Forester III in the Forestry Section be reclassified to two Forestry Investigators and one Forestry Co-ordinator.

(b) That one existing Gardener II position in Beautification be reclassified to Yard Attendant (Forestry).

(c) That these three new classifications: Forestry Investigator, Forestry Co-ordinator and Yard Attendant have job descriptions prepared and evaluated.

(d) That the positions be posted and filled from within the existing complement.

6. (a) That the existing "No Stopping, Wheelchair Loading Only, 11:00 a.m. to 8:30 p.m., 7 days a week" regulation on the north side of Albany Avenue commencing at a point 237 feet east of Kenilworth Avenue and extending to a point 24 feet easterly therefrom be removed; and

(b) That a "Permit Parking" regulation be implemented on the north side of Albany Avenue commencing at a point 237 feet east of Kenilworth Avenue and extending to a point 24 feet easterly therefrom; and

(c) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. William Stephens, 85 Albany Avenue; and

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That a "Permit Parking" regulation be implemented on the south side of Picton Street West commencing at a point 173 feet east of Bay Street North and extending to a point 17 feet easterly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Joan DiFalco, 59 Picton Street West; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

8. (a) That a "Permit Parking" regulation be implemented on the west side of Ray Street North commencing at a point 75 feet south of York Boulevard and extending to a point 20 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. McCabe, No. 113 Ray Street North; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

9. (a) That a "No Parking" regulation be implemented on the east side of West 3rd Street between McElroy Road West and South Bend Road West; and

(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of West 3rd Street between McElroy Road West and South Bend Road West; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

10. (a) That the existing 65 foot "No Stopping" regulation on the north side of Dunsmure Road, west of Ottawa Street, be shortened such that the regulation commences at Ottawa Street and extends to a point 46 feet westerly therefrom; and

(b) That a "No Parking" regulation be implemented on the north side of Dunsmure Road commencing at a point 46 feet west of Ottawa Street and extending to a point 20 feet westerly therefrom; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

11. That the application by Howard E. Katz to lease a portion of the boulevard of Ray Street South adjacent to 2 Ray Street South be approved provided that:

(a) The applicant pays the $186.74 annual fee in accordance with the fee structure approved by City Council on 1986 March 25, in addition to the $10.00 encroachment insurance charge approved by City Council on 1984 February 14.

(b) The owner pays a one time $25.00 registration fee as approved by City Council on 1986 January 14.

(c) The owner pays a one time $25.00 registration fee to discharge the existing residential boulevard parking agreement.

(d) The owner pays a one time $160.05 processing fee, as approved by City Council on 1990 March 27.

(e) The owner complies with the requirements as set out in the policy approved by City Council on 1975 June 25, respecting using a portion of the road allowance for parking purposes.

(f) The parking area be constructed and maintained at the owner's expense.

(g) The owner executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

12. (a) That the by-law to alter Centennial Parkway and Arrowsmith Road be introduced and approved.

(b) That Hamilton Home and Design Centre Inc. owner of the property at 350 Centennial Parkway North, pay an amount of $59,300.00 to the City of Hamilton prior to the issuance of an access permit for the site, for the installation of road improvements on Centennial Parkway North.

(c) That the Director of Property be authorized and directed to negotiate the acquisition of lands at the north-west corner of Centennial Parkway and Arrowsmith Road, at an estimated cost of $24,000.00.

(d) That the Commissioner of Transportation/Environmental Services be authorized and directed to construct the road improvements at an estimated cost of $200,000.00 once the payment indicated in clause (b) has been made, and the project has been approved in the 1992 - 1996 Capital Budget.

(e) That the Director of Traffic Services be authorized and directed to install a traffic signal at the intersection of Centennial Parkway and Arrowsmith Road upon completion of the widening of the intersection, at an estimated cost of $65,000.00.

(f) That the Director of Public Works be directed to include the widening of Centennial Parkway and the installation of the traffic signal, in the gross amount of $289,000.00 with a revenue of $59,300.00 from the owner, in the 1992 - 1996 Capital Budget Programme for consideration.

13. (a) That Torno Construction Co. Limited be advised that the current By-laws and Policies regarding garbage collection for apartment buildings are to be applied to 640 Mohawk Road East and that there will be no exception.

(b) That Torno Construction Co. Limited comply with the current By-laws and Policies regarding garbage collection at 640 Mohawk Road East within a time period of 60 days.

14. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law to stop up, close and sell a 27.10' x 54.50' portion of the King Street West road allowance at South Oval;

(b) That the applicant prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be distributed to the abutting owners;

(c) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;

(d) That the Director of Property be directed to proceed with the disposition of the said lands.

(e) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law pursuant to Section 301 of the Municipal Act, R.S.O. 1980.

15. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-law to stop up, close and sell the road allowance of Beckley Street from 30m east of James Street South to John Street South;

(b) That the applicant prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be included in the proposed Intermodal GO Station;

(c) That the Commissioner of Transportation/Environment Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;

(d) That the applicant provide a 6m easement to the Region for the existing 375mm combined sewer in the proposed closure area;

(e) That the applicant provide a 2m easement to Union Gas for their underground plant;

(f) That the applicant be responsible for all costs associated with the removal of 3 concrete hydro poles and underground duct on Beckley Street by the Hamilton Hydro-Electric System.

(g) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law pursuant to Section 301 of the Municipal Act, R.S.O. 1980.

16. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1980, for an order to stop-up, close and sell the unassumed east/west alleyway adjacent to No. 103 East 19th Street and the northerly 10 metres of the north/south alleyway at the rear of 103 East 19th Street, more particularly described as Parts 1 and 2 on Reference Plan 62R-11914;

ii. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;

iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court;

iv. That the applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;

v. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;

vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.

(b) Provided the Judge's Order to close the highway is granted:

i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed alleyway to the abutting owner;

ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

(c) That Section 9 (b) of the Tenth Report of the Transport and Environment Committee approved by City Council on 1991 July 30 be amended by inserting after "(42.6 metres) more or less" in the tenth line, the following: "Said alley also to include part of the alley lying immediately east of Lot 50, Registered Plan 541, designated as the southerly 27.91 feet of Part 2 on Plan 62R-11914.

17. (a) That notwithstanding Section 44 of the Parks By-law which prohibits the parking of motor vehicles in parks for other than the purpose of utilizing park facilities, permit parking only for the staff of the Henderson General Hospital be permitted in the lookout areas along Mountain Park Avenue and on the south and west sides of Mountain Park Avenue between Upper Sherman Avenue and Concession Street from 1992 February 1 to 1992 October 31; and

(b) That special temporary parking permits be made available to the Henderson Hospital for distribution to employees to allow parking in these areas.

18. That leave be granted to introduce the following Bills:

(a) **Bill A-13** A By-law to Incorporate Parts 2 and 3, Plan 62R-10200 Into Royalvista Drive

(b) **Bill A-14** A By-law to Incorporate Part 5, Plan 62R-10200 into Templemead Drive

(c) **Bill A-15** A By-law to Incorporate Part 6, Plan 62R-10200 and Part 13, Plan 62R-9377 into Templemead Drive

(d) **Bill A-16** A By-law to Incorporate Part 1, Plan 62R-12045 into Elite Drive

(e) **Bill A-17** A By-law to Amend By-law No. 89-72 to Regulate Traffic

(f) **Bill A-18** A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRPERSON
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1992 January 20

Council Date: January 28, 1992

Location	Type of Encroachment	Solicitor/Agent	First Year/Annual	File Number
423 Cumberland Ave Hamilton, Ontario	A portion of a 2½ Storey Building and a portion of a Frame Garage encroaching onto the Public Assumed Alley measuring approximately 67.02'x 0.34'	Borkovich and Ingrassia Barristers and Solicitors 1 Main Street Wast Hamilton, Ontario L8N 1E7	$112.00/20.00	T103-50(960)
357 MacNab Street North Hamilton Ontario L8L 1K8	Wooden Steps measuring 0.62' x 4.88'	Evans Philp Barristers and Solicitors P.O. Box 930, Station A Hamilton Ontario L8N 3P9	$112.00/20.00	T103 50 (750)
1008-1010 King Street West 3,5,7,9 & 11 Marion Avenue Hamilton Ontario L8S 1L4	Canvas Awnings encroaching on to King Street West measuring 5.0' x 11.6' & on Marion Avenue measuring 5.0' x 34.7'	Mr. Jacob Rosencweig 1008-1010 King Street West Hamilton Ontario L8S 1L4	$276.10/50.00	T103 50 (983)
273 Rosslyn Avenue North Hamilton Ontario L8L 7P9	Portion of building measuring 1.17' x 3.20' Bay Window measuring 2.10' x 3.20' Eaves measuring 1.00' x 26.30'	Foreman & Rosenblatt Barristers and Solicitors 425 York Boulevard Hamilton Ontario L8R 3K3	$112.00/20.00	T103 50 (965)

Appendix "A" as referred to in Section 2 of the SECOND Report of the Transport and Environment Committee

B

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1992 and respectfully recommends:

1. (a) That the recommendation passed by City Council on 1991 February 26 by adopting Section 6 of the Fourth Report of the Parks and Recreation Committee, be amended by deleting one (1) advertising location, Burlington Street East and Victoria Avenue North (known municipally as 531 Victoria Avenue North) from the list of sites leased by the City to Mediacom Inc.

   (b) That the City Solicitor be authorized to prepare the necessary amending agreement if required.

   (c) That the City Treasurer be authorized to reimburse the Region for the sum of $1,629.34 which represents the rental fee prepaid to the City by Mediacom Inc.

2. That the OMNI '89 Trust Account with a surplus of $6,675.87, from hosting the Canadian Parks and Recreation Conference, be retained by the Department of Culture and Recreation to support Canadian and Provincial conference programs enabling participation locally in these education opportunities and to attract recreation conferences to Hamilton.

3. That the Ontario Physical Disabled Games Account with a surplus of $7,739.91, from hosting the Games in 1991 be transferred as a legacy to the Hamilton Committee of the Canadian Sports and Physical Education Association to enable disabled athletes to compete in local, provincial and national competitions and training programs, and to provide specialized equipment required for these purposes.

4. (a) That approval be given to enter into contract with Beatty Hall Construction Co. Ltd. as the General Contractor for the Gartshore Thomson Building Relocation - Pier 4 Park. The contract amount will be $384,380.00, three hundred, eighty four thousand, three hundred and eighty dollars.

(b) That the total cost of $384,380.00 be funded from Account No. CF419154007.

(c) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor, Beatty Hall Construction Co. Ltd. of Hamilton.

(d) That the Mayor and City Clerk execute the contract on behalf of the City.

5. That the following three year hourly ice rental schedule at civic arenas, be adopted:

May to September (Inclusive)		Present	1992	1993	1994
Youth	Non-Prime	$ 78.65	$ 82.00	$ 85.00	$ 90.00
Youth	Prime Time	$ 78.65	$ 82.00	$ 85.00	$ 90.00
Adult	Non-Prime	$ 78.65	$ 82.00	$ 90.00	$ 95.00
Adult	Prime Time	$ 95.50	$120.00	$130.00	$140.00
Minor Hockey		$ 67.41	$ 70.00	$ 75.00	$ 80.00

October to April Inclusive		Present	1992	1993	1994
Youth	Non-Prime	$ 56.18	$ 60.00	$ 65.00	$ 70.00
Youth	Prime Time	$ 67.41	$ 70.00	$ 75.00	$ 80.00
Adult	Non-Prime	$ 67.41	$ 70.00	$ 80.00	$ 90.00
Adult	Prime Time	$ 95.50	$110.00	$120.00	$130.00
Minor Hockey H.L./Hub Games		$ 22.00	$ 26.00	$ 30.00	$ 35.00
Minor Hockey Reps		$ 35.00	$ 41.00	$ 45.00	$ 50.00
Revenue/Admission HIAC		$196.61	$210.00	$220.00	$230.00
Junior A-B-C		$280.88	$300.00	$320.00	$340.00
Revenue - Charitable		$ 95.50	$100.00	$110.00	$120.00
Tournament - H.L.		$ 55.00	$ 59.00	$ 65.00	$ 70.00
Tournament - Rep/Hub		$ 55.00	$ 64.00	$ 67.00	$ 70.00
Minor Practice - Hub/Rep		$ 35.00	$ 41.00	$ 45.00	$ 50.00

*Rates include G.S.T.

Winter Prime Time Weekdays - 6:00 p.m. - Midnight
Winter Prime Time Weekends - 8:00 a.m. - 11:00 p.m.

6. (a) That the following fee schedule be adopted for memberships and daily rates to comply with a user recovery at Chedoke and King's Forest Golf Courses.

CHEDOKE GOLF COURSE

Category	Present	1992	Present Resident Members
Mens	$ 470.	$ 565.	538
Ladies	$ 470.	$ 565.	20
Couples	$ 860.	$ 1060.	30
Family	$ 1010.	$ 1160.	4
Juniors	$ 214.	$ 205.	83
Intermediate	$ 278.	$ 395.	20
Pension	$ 310.	$ 390.	131
Pensioner/Over 70	$ 215.	$ 290.	129
18 hole (M)	$ 19.	$ 23.	
Twilight (M)	$ 17.	$ 19.	
Pensioner (M)	$ 14.	$ 16.	
18 hole (B)	$ 21.	$ 25.	
Twilight (B)	$ 19.	$ 21.	
Pensioner (B)	$ 16.	$ 18.	

KING'S FOREST GOLF COURSE

Category	Present	1992	Present Resident Members
Mens	$ 540.	$ 665.	304
Ladies	$ 530.	$ 665.	9
Couples	$ 990.	$ 1210.	23
Family	$ 1140.	$ 1310.	----
Juniors	$ 274.	$ 275.	25
Intermediate	$ 316.	$ 415.	10
Pensioner	$ 320.	$ 410.	122
Pensioner/Over 70	$ 230.	$ 310.	116
18 hole	$ 21.	$ 25.	
Twilight	$ 18.	$ 21.	
Pensioners	$ 16.	$ 18.	

*Rates include G.S.T./Non-Residents of Hamilton subject to 50% Membership Surcharge

(b) That the Finance and Administration Committee be requested to consider setting up a reserve for any surplus funds generated at the golf courses, to be used for future Capital Projects.

7. That a purchase order be issued to Golder Associates Ltd., Hamilton, in the amount of $53,191.84, including all taxes, plus an $8,000.00 contingency fee, to provide consulting services for remediation of Hamilton Harbourfront Park, being the lowest acceptable of nine proposals received, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, and that this expenditure be financed through Work done for Others Account No. CH56398 62910.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary

1992 January 21

C

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1992 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 36 Keefer Court, Hamilton from the construction covenants to the City as contained in Deed Number 473415 C.D., registered on September 1, 1988.

2. (a) That the draft approval for the remainder of the "Hamilton Mountain Industrial Park No. 2" subdivision, the Regional Municipality of Hamilton-Wentworth, former owner, in the City of Hamilton under Regional File No. 25T-82008, be withdrawn.

   (b) That approval be given to revised application 25T-82008, 810294 Ontario Limited, owner, to establish a draft plan of subdivision located at the south-west corner of Rymal Road East and Glover Road, subject to the following conditions:

      (i) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated as amended July 5, 1991, and showing 5 lots, 1 block and Court "A".

      (ii) That the plan not receive final approval until construction of municipal sewers on the abutting road has been approved.

      (iii) That the road allowance be dedicated to the City of Hamilton as public highway on the final plan.

      (iv) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

      (v) That the final plan conform with the zoning by-law approved under the Planning Act.

(vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

(vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

(viii) That the owner erect a sign in accordance with Section XI of the subsequent subdivision agreement prior to the issuance of a final release by the City of Hamilton.

(ix) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

(c) That the neighbourhood plan be revised to accommodate the new road pattern.

3. That the Clerk be directed to advise the Region that the Township of Glanbrook's request to amend the Hamilton-Wentworth Official Plan, to permit an air cargo terminal on the south side of Dickenson Road, between Glancaster Road and Hwy. 6, does not appear to impact on the planning intentions of the City of Hamilton. The Region should be satisfied, however, that the proposal will not result in a change in the Noise Exposure Forecast (NEF) contours.

4. (a) That within the International Village B.I.A., the east/west alleyway, between King William and King Street East, from Ferguson Avenue North to Jarvis Street be paved under the Commercial Improvement Programme at an estimated cost of twenty-nine thousand, four hundred dollars ($29,400.) plus contingencies; and,

(b) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.

5. (a) That within the Westdale Village B.I.A., the following alleyways be paved under the Commercial Improvement Programme at an estimated cost of one hundred and twelve thousand, three hundred dollars ($112,300.) plus contingencies:

(i) Alleyway first north of King Street running from Marion Avenue to North Oval

(ii) Alleyway first south of King Street running from Marion Avenue to South Oval

(iii) Alleyway first south of King Street running from Paisley Avenue to Marion Avenue

(iv) Alleyway first south of King Street running from Newton Avenue to Paisley Avenue

(b) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.

6. (a) That the Cash-in-Lieu agreements for 81 Dundurn Street South and 848 Main Street East be rescinded by Council due to the lack of payments of moneys finalizing the agreements.

(b) That the Cash-in-Lieu payment application for 859 King Street East be denied for disposal.

7. (a) That Ramanath Mulki Kamath and Tony Valeri be appointed to sit on the Business Land Advisory Board for the term to commence March 1st, 1992 to November 30th, 1994 and that Council be notified of these appointments;

(b) That City Council appoint the following people to the Local Architectural Conservation Advisory Committee for the term to commence March 1st, 1992 to November 30th, 1994:

Robert Brough
Diane G. Dent
Jeffrey C. Martin
John Mokrycke
Jane Rigby
Reg Wheeler
Robert Rankin

8. That the project at 1380 Upper Ottawa Street (Applegrove) be exempt from connecting all rainwater leaders to storm sewers as required by By-law 80-245 and be accepted as built.

9. That the Law Department be directed to prepare a By-law for presentation to City Council to amend By-law 91-206 by deleting a video store as a permitted use.

10. A. That approval be given to Zoning Application 91-55, Vedemo Construction Limited, owner, for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, to permit the temporary use of lands for parking purposes for a three-year period in accordance with Section 38 of

the Planning Act, for property located at Nos. 131 - 133 Market Street, as shown on the attached map marked as Appendix "A", on the following basis:

(a) That the "E-3" (High Density Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-Law No. 6593, be modified in accordance with Section 38 of the Planning Act, R.S.O. 1983, to permit the temporary use of lands for parking of motor vehicles accessory to the use of land at No. 206 King Street West, for a three year period, and subject to the following variances as special requirements:

(i) that the parking lot shall only be accessory to the use of land at No. 206 King Street West;

(ii) that a minimum front yard set back of 3.0m shall be required and shall be provided and maintained as a planting strip;

(iii) that no vehicular access to or egress from Market Street shall be permitted;

(iv) that a minimum 1.5m wide planting strip shall be provided and maintained along the easterly and westerly property lines;

(v) that a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained within the front yard; and,

(vi) that a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the easterly and westerly property lines;

(b) That the amending By-Law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1257, and that the subject lands on Zoning District Map W-9 be notated S -1257;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-Law No. 6593 and Zoning District Map W-9 for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan for the parking lot and registers the site plan on title.

11. A. That approval be given to Official Plan Amendment No. 105 to establish a "Special Policy Area" to permit general offices within the existing building, for property municipally known as No. 121 Augusta Street, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.

B. That approval be given to amended Zoning Application 91-66, Jack Beume Real Estate Ltd., prospective owner, requesting a modification to the established "L-mr-2" (Planned Development - Multiple Residential) District regulations, to permit general offices only within the existing building, for property located at No. 121 Augusta Street, as shown on the attached map marked as Appendix "B", on the following basis:

(a) That the "L-mr-2" (Planned Development - Multiple Residential) District regulations, as contained in Section 17B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(i) That notwithstanding Section 17B(4) of By-law No. 6593, the following shall be permitted:

(1) general offices, only within the existing building;

(2) a ground sign in the front yard of an area of not more than 1.2 square metres and a height of not more than 1.2 m and either non-illuminated or illuminated by non-flashing, indirect, or interior means only;

(ii) That notwithstanding Section 18A(7), three of the required parking spaces shall have a length of not less than 5.2 m;

(iii) That Section 18A(9) shall not apply to the required loading space;

(iv) That Section 18A(11)(b) shall not apply;

(v) That notwithstanding Section 18A(12)(c), a visual barrier of not less than 1.0 m in height shall be provided and maintained along the easterly lot line adjoining the parking area;

(vi) That Section 18A(14) shall not apply;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1258, and that the subject lands on Zoning District Map E-5 be notated S-1258;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;

(d) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 105 by the Regional Municipality of Hamilton-Wentworth.

C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has:

(a) applied for and received approval of a site plan, registered on title, for the parking area; and,

(b) entered into an encroachment agreement with the City of Hamilton for the concrete pedestal that presently encroaches into the road allowance.

12. A. That approval be given to Zoning Application 91-68, 467052 Ontario Ltd. (E. Kennish, President), owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified (Block "1"), and for a modification to the established "H" (Community Shopping and Commercial, etc.) District (Block "2"), to permit a parking lot on property located at Nos. 261 and 263 Wellington Street North, to be used only in conjunction with the Tim Horton's Donut Shop located on adjoining lands at No. 222 Barton Street East, as shown on the attached map marked as Appendix "C", on the following basis:

(a) That Block "1" be rezoned from "D" (Urban Protected Residential One and Two-Family Dwellings, Townhouses, etc.) District to "H" (Community Shopping and Commercial, etc.) District;

(b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variance as a special requirement:

(i) that a parking lot shall be permitted only accessory to the use of land located at No. 222 Barton Street East, subject to the following;

(1) that a minimum front yard set back of 3.0m shall be required and shall be provided and maintained as a landscaped strip,

except for that area required for a driveway access onto Wellington Street North;

(2) that a minimum 1.5m wide planting strip shall be provided and maintained along the southerly lot line;

(3) that a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the southerly lot line;

(c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1259, and that the subject lands on Zoning District Map E-12 be notated S-1259;

(d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-Law No. 6593 and Zoning District Map E-12 for presentation to City Council;

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received site plan approval, and registers the site plan on title.

13. That Zoning Application 91-51, Harnox Holdings Ltd, owner, requesting an Official Plan amendment and a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, to permit a 48 bed adult Community Correctional Centre (jail), for the property located at No. 1051 Upper James Street, as shown on the attached map marked as Appendix "D", be denied for the following reason:

a) the function of a Community Correctional Centre resembles a 'Residential Care Facility', in that residents live on the premises for social and emotional reasons and for the purposes of achieving well being through self-help and/or counselling programs. Residential Care Facilities are permitted 'as-of-right' in other Commercial Districts such as the "H" (Community Shopping and Commercial, etc.) District and the "I" (Central Business) District with a maximum capacity of 20 residents. The proposed capacity of 48 residents is 2.4 times higher than the number of residents permitted in other commercial districts and would result in the creation of an 'Institutional' use. The proposal is contrary to the intent and philosophy of the by-law which was designed to promote smaller facilities which approximates a family living environment.

14. That Zoning Application 91-70, Aurelia Paul, Greg Paul and Sharon Paquette, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to legalize an existing two-family dwelling for property located at No. 300 East 34th Street, as shown on the attached map as Appendix "E", be denied for the following reason:

    (a) The proposed two-family dwelling would be incompatible and out of character with the existing predominantly single-family residential development in the surrounding area.

15. (a) That the proposed Chedoke Park Neighbourhood Plan, as proposed by the Kirkendall/Chedoke Park Neighbourhood Plan Advisory Committee as amended, as shown on the map attached hereto as Appendix "F", be adopted, by City Council.

    (b) That the City request the Niagara Escarpment Commission to consider placing the lands under Site Plan Control at the time a Development Permit is issued for 100 Beddoe Drive so the City of Hamilton can regulate screening, buffering, grading, etc.

16. That Official Plan Amendment P5-3-8-3, Chedoke Heights Inc., owners, requesting a redesignation of the subject lands from "Industrial" to "Residential", and to create a Special Policy Area to permit the development of the subject lands for two, four storey apartment buildings containing 200 units and 117, two to three storey townhouse units, for lands located south of Studholme Road, west of Beddoe Drive, as shown on the attached map marked as Appendix "G", be denied for the following reasons:

    (a) The Ministry of the Environment has advised that the proposed mitigative measures (sealed windows) are not acceptable as a method of noise attenuation. In this regard, approval of the application could result in future land use conflicts with the adjoining industrial uses;

    (b) The woodlot has visual and natural feature of the urban fabric. In this regard, the woodlot should be preserved;

    (c) It is contrary to the approved Chedoke Park Neighbourhood Plan which designates the site for light industrial/warehousing; non-retail commercial; recreational; and, non-residential institutional uses.

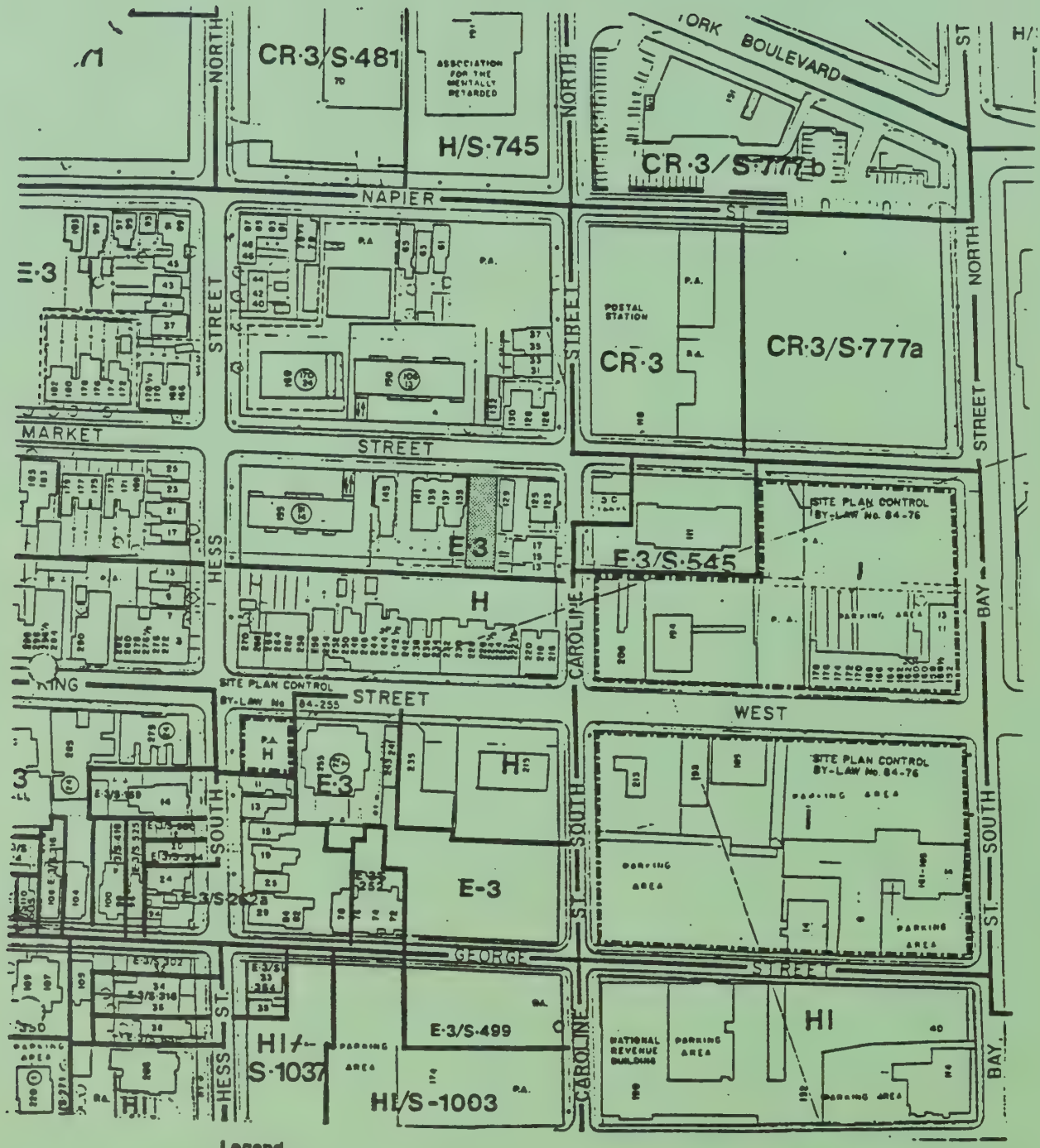
17. That leave be granted to introduce the following Bill:

(a) Bill C-18 A By-law to Adopt Official Plan Amendment No. 104 respecting land located at municipal No. 623 Upper James Street within the Centremont Neighbourhood.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 January 22

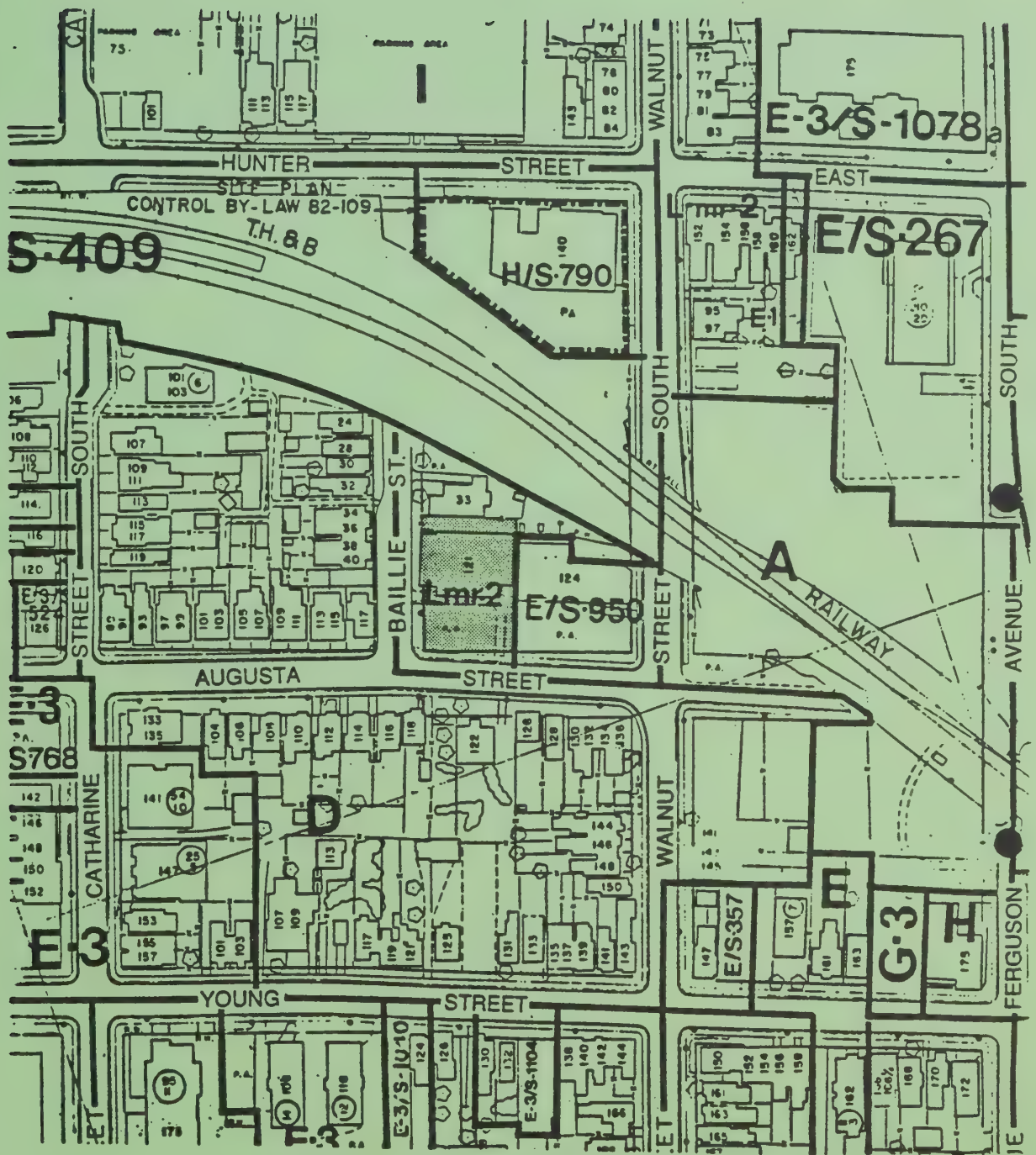


Legend

Site of the Application

Appendix "A" as referred to in Section 10A of the SECOND Report of the Planning and Development Committee

ZA 91-55

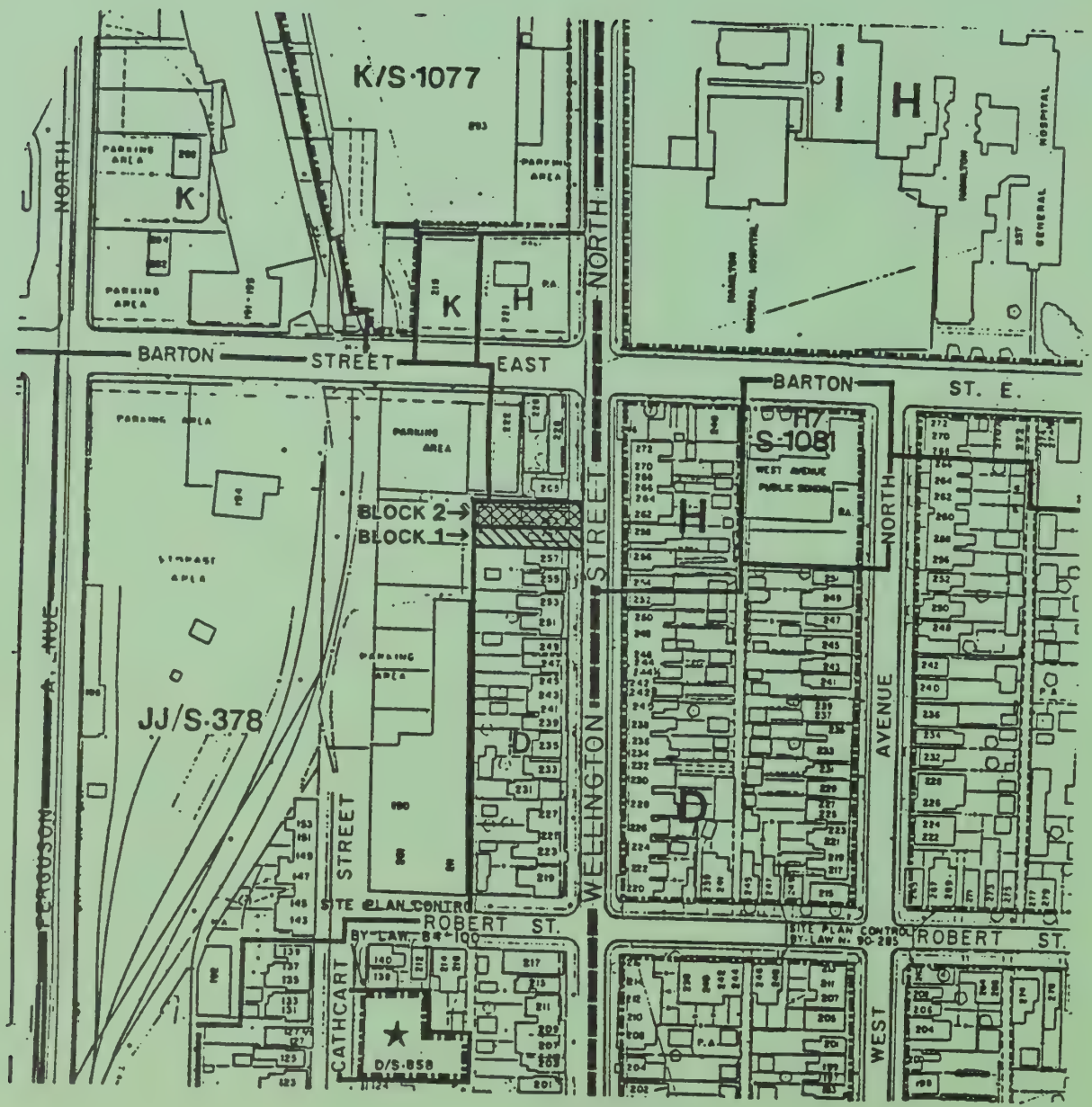


Legend

Site of the Application

Appendix "B" as referred to in Section 11B of the SECOND Report of the Planning and Development Committee

ZA 91-66



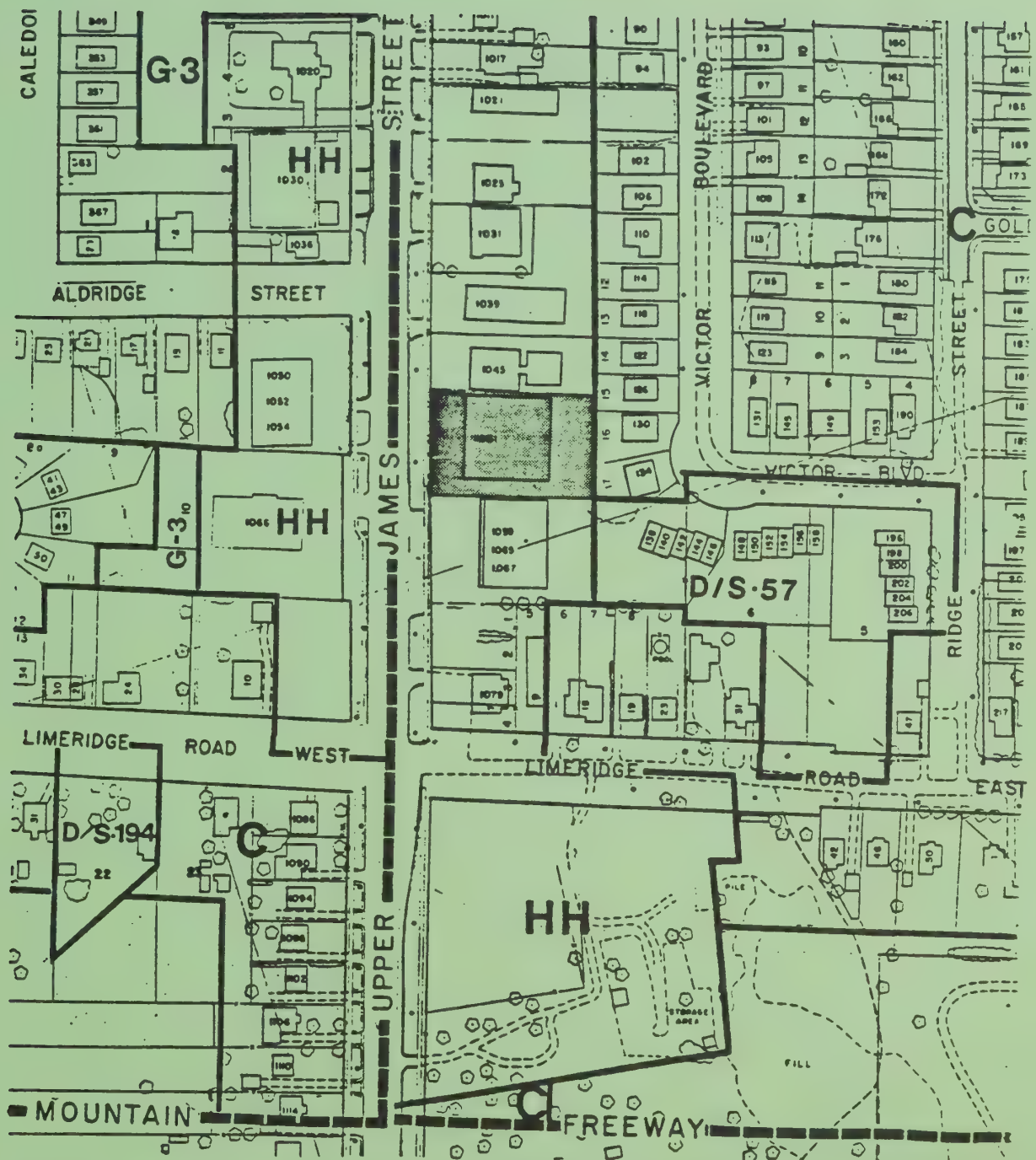
Appendix "C"
as referred to in
Section 12A of the
SECOND Report of the
Planning and Development
Committee

Change in zoning from:

BLOCK 1 — "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.)District
To: "H" (Community Shopping and Commercial, etc.)District, modified.

BLOCK 2 — Modification to the "H" (Community Shopping and Commercial, etc.) District.

ZA-91-68

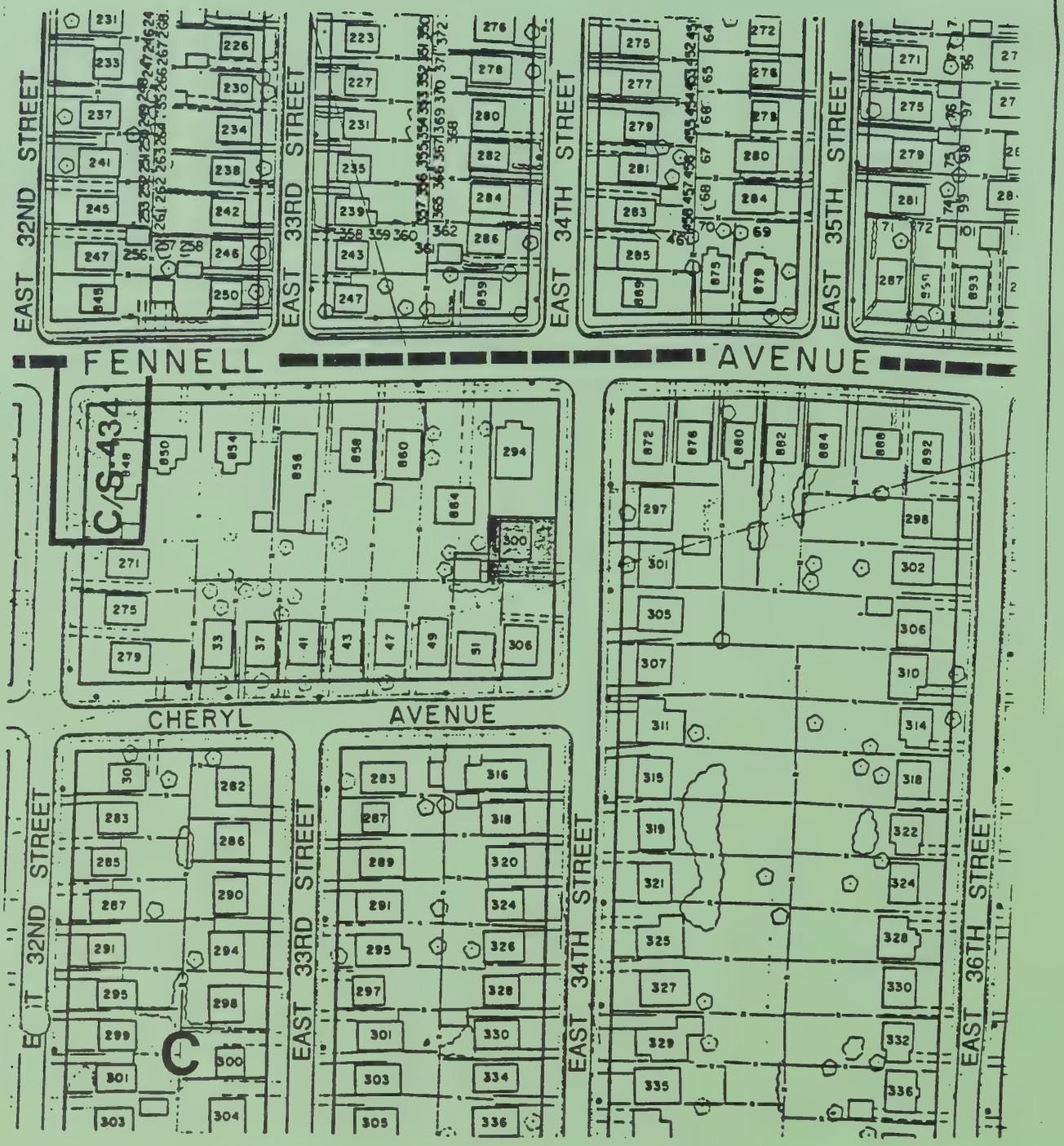


Legend

Site of the Application

Appendix "D"
as referred to in
Section 13 of the
SECOND Report of the
Planning and Development
Committee

ZA 91-51



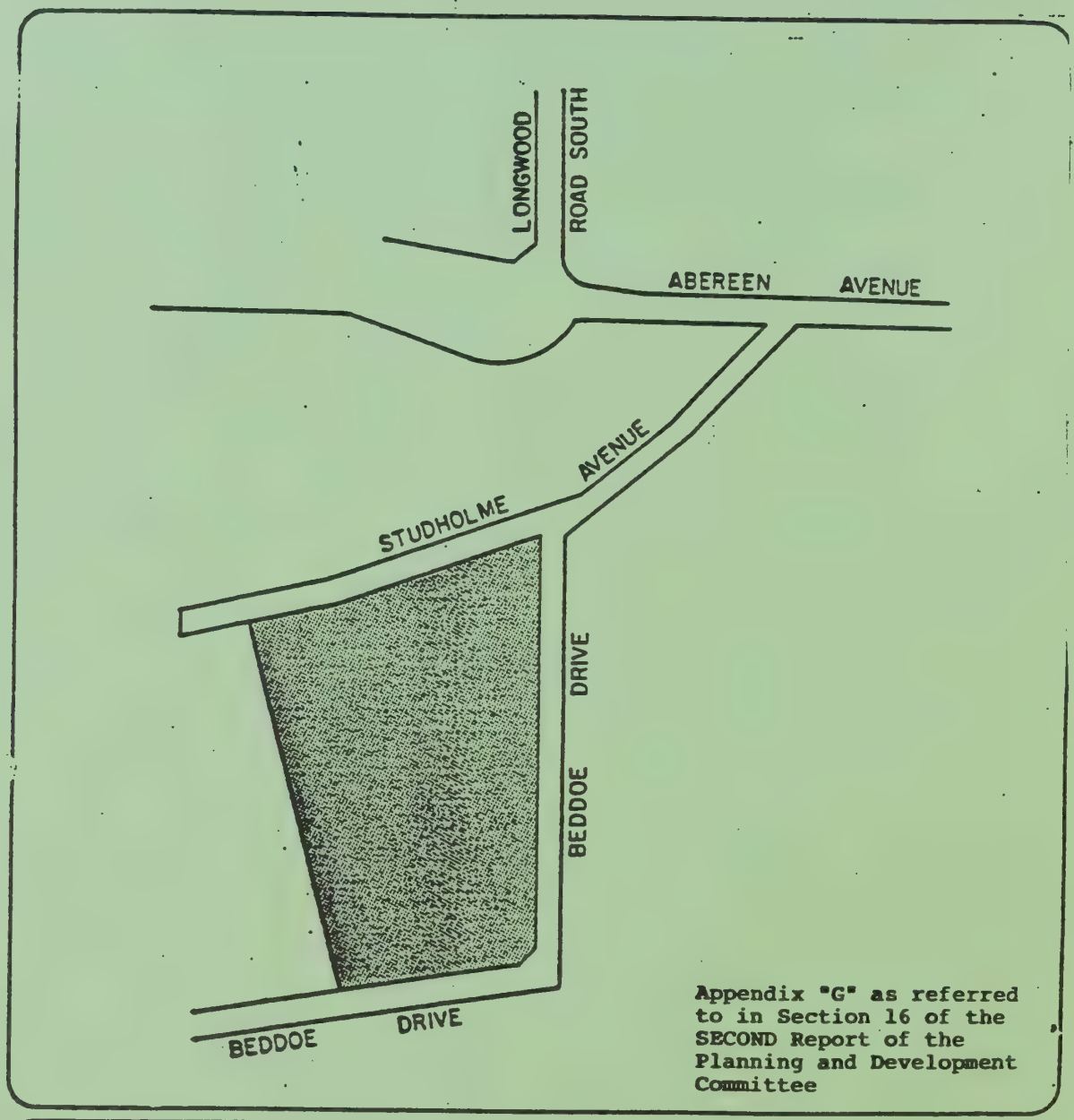
Legend

Site of the Application

Appendix "E" as referred to in Section 14 of the SECOND Report of the Planning and Development Committee

ZA 91-70

Appendix "P" as referred to in Section 15(a) of the SECOND Report of the Planning and Development Committee



Appendix "G" as referred to in Section 16 of the SECOND Report of the Planning and Development Committee

City of Hamilton

OFFICIAL PLAN AMENDMENT

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Site of the application

North	Scale	Reference File No.
	NOT TO SCALE	P6-8-3
	Date	Drawn By
	NOVEMBER,1998	T.A.

H

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1992 and respectfully recommends:

1. That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing to Purchasing Stores as and when required during 1992, being the lowest of eight tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following unit prices, and that this expenditure be financed through Stores Inventory Account CH56103 28999

Grey Trousers	$12.75 pair
Short Sleeve Grey Shirts	10.85 each
Long Sleeve Grey Shirts	11.85 each
Grey Overall Jackets	24.95 each
Grey Overall Pants	25.95 pair
Grey Crested Coveralls	24.75 pair

GST extra at 7%. PST extra at 8%.

2. That a purchase order be issued to Burns International Security Services Limited, Hamilton, at the unit rate of $8.54 per hour for 1992, including all charges, with an option in favour of the City to renew for two additional one-year terms at $8.96 per hour during 1993 and $9.32 per hour during 1994, including all charges, to provide security services for City Hall, being the lowest of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Security Account No. 31107 56333.

3. That Civic Gold Pins be awarded to the following members of the St. Thomas More Girls' Field Hockey Team for winning the Provincial High School Championship for 1991:

Anne-Marie Braid	Nikki McGowan
Rachelle Brohman	Cheryl Murray
Carm Cimarrusti	Carolyn Oddi
Lina Cimarrusti	Somer Oddi
Charlene Copps	Kristin Rankin
Melissa Dorey	Stephanie Richardson
Heather Harper	Judy Sahr
Geena Joseph	Erica Scime
Juanita Koo	Lisa Spadafora
Chantale LaChance	Selina Young
Rhonda Lewis	Lisa Zinkewich
Cathy Basciano (Co-Coach)	Audrey Beniach (Co-Coach)

4. That Mr. Malcolm C. Cline be nominated to the Regional Municipality of Hamilton-Wentworth for appointment to the Court of Revision as the City's representative.

5. (a) That the request of the Association of KIN Clubs for the City of Hamilton to purchase an ad in the special issue of the national publication "KIN Magazine" at a cost of $535. be approved.

   (b) That the cost of this ad be financed from the City Clerk's Advertising Account No. CH56302 12001.

6. That, as referred to in Section 1 of the SECOND Report of the Transport and Environment Committee, the City's Share of Services for the completion of Aquila Place - Phase 2 subdivision in the additional amount of $1,300. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

7. (a) That the prelevy residential and non-residential mill rates for 1992 be established at figures slightly below 50% of the 1991 respective mill rates as follows:

      (i) That a real property tax prelevy mill rate of 188 mills be established for 1992 to be billed in two instalments of 94.0 mills each, payable 1992 February 28 and March 31. This prelevy rate represents 49.989% of the 1991 residential mill rate.

      (ii) That a business tax prelevy mill rate of 221 mills established for 1992 to be billed in one instalment, payable 1992 February 28. This prelevy rate represents 49.949% of the 1991 non-residential mill rate.

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1991 charge, to be billed in two equal instalments, payable 1992 February 28 and March 31.

8. As recommended by the Transport and Environment Committee at its meeting held 1992 January 6:

(a) That the 1992 Streetlight Construction Programme, being part of 1992 Road and Sidewalk Reconstruction Programme, be approved and the Public Works Department be authorized to spend up to $203,000. and this amount be financed from the 1992 capital levy; and

(b) That the 1992 Road and Sidewalk Reconstruction Programme be approved and the Regional Engineering Department be authorized to spend up to $2,761,000. and this amount be financed from the 1992 Capital Levy.

9. (a) That the City renew the Agreement with the H.S.P.C.A. to purchase animal control and related services in accordance with the provisions of the Agreement and the City's approved annual budget for the provision of those services, and

(b) that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City of Hamilton.

10. (a) That approval be given for the use of the Council Chambers for the purpose of holding the annual Heritage Day ceremony, Monday, February 17th from 11:00 a.m. to 2:00 p.m. and for use of the foyer for displays throughout Heritage Week (1992 February 17-21).

(b) That the City Clerk be granted the authority to approve of a similar use in future years, providing it does not interfere with any other activity.

11. (a) That approval be given to retain the firm of A.J. Diamond, Donald Schmitt and Company as consultant for the preparation of the Urban Design Study, City Hall Grounds in accordance with their study proposal dated 1992 January 3, copies of which have been previously distributed to all members of City Council under separate cover.

(b) That the cost of the study be collaboratively financed within existing approved budgets of three participating departments, namely Culture and Recreation, Public Works and Property Department at a total cost not to exceed $15,000.

12. (a) That the City of Hamilton renew the Master Lease with The Regional Municipality of Hamilton-Wentworth for a period of three (3) years commencing 1991 December 1 and terminating 1994 November 30.

(b) That the City of Hamilton renew the lease with the Hamilton-Wentworth Regional Health Unit at the Composite Building - Kenilworth Avenue North and 777 Upper Wentworth Street and the Social Services Department at 74 Hughson Street South for a period of three (3) years commencing 1991 December 1 and terminating 1994 November 30. The three (3) year term is only for the establishment of the rent. It is most likely that the Region will be vacating these buildings in 1992 or early 1993.

(c) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

(d) That lease renewals for Item a) and b) above to be based on the following Rent Schedules:

RENT COMPUTATIONS

CITY HALL

PLANNING DEPARTMENT		TOTAL
(i)	December 1, 1991 to November 30, 1994 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ $14.30 per sq. ft. per annum	$ 88,245.30 per annum
ENGINEERING DEPARTMENT		
(i)	December 1, 1991 to November 30, 1994 - 7th Floor - Full Floor - 9,029 square feet - 2,858 sq. ft. @ $14.30 per sq. ft. per annum	$ 40,869.40 per annum
(ii)	6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ $14.30 per sq. ft. per annum	$129,114.70 per annum
(iii)	5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ $14.30 per sq. ft. per annum	$ 41,941.90 per annum
(iv)	Basement Vault - Jointly by City and Region 800 sq. ft. 800 sq. ft. @ $5.50 per sq. ft. per annum	$ 4,400.00 per annum
Total Engineering Department		$216,326.00
Total Rental Space in City Hall		$304,571.30

KENILWORTH AVENUE NORTH COMPOSITE BUILDING

REGIONAL POLICE DEPARTMENT		TOTAL
(i)	December 1, 1991 to November 30, 1994 First Floor - 4,393 square feet 4,393 sq. ft. @ $7.70 per sq. ft. per annum	$33,826.10 per annum
(ii)	Second Floor - 3,062 square feet 3,062 sq. ft. @ $7.15 sq. ft. per annum	$21,893.30 per annum
(iii)	Basement - 1,125 square feet 1,125 sq. ft. @ $2.25 per sq. ft. per annum	$ 2,531.25 per annum
(iv)	Garages - 1,239 square feet 1,239 sq. ft. @ $1.65 per sq. ft. per annum	$ 2,044.35 per annum
Total Regional Police Department		$60,295.00

CITY LEASE TO HAMILTON-WENTWORTH REGIONAL HEALTH UNIT AND SOCIAL SERVICES

74 Hughson Street South
15 Hunter Street East
Kenilworth Avenue North Composite Building
Upper Wentworth Composite Building - 777 Upper Wentworth Street

HEALTH DEPARTMENT		TOTAL
(i)	December 1, 1991 to November 30, 1994 Kenilworth Avenue North - First Floor 1,484 sq. ft. @ $7.15 per sq. ft. per annum	$ 10,610.60 per annum
(ii)	Upper Wentworth Composite Building 6,200 sq. ft. @ $8.80 per sq. ft. per annum	$ 54,560.00 per annum
	TOTAL	$ 65,170.60

SOCIAL SERVICES

(i)	74 Hughson Street South - First Floor 5,032.75 sq. ft. @ $12.65 per sq. ft. per annum	$ 63,664.28 per annum
(ii)	15 Hunter Street East - Second & Third Floor 13,622 sq. ft. @ $10.45 per sq. ft. per annum	$142,349.90 per annum
	TOTAL	**$206,014.18**

It is expected the Region may vacate their space at Hughson Street, Kenilworth Avenue and Upper Wentworth Street locations in 1992 or early 1993.

In addition to rent paid by the Region and the Board of Health, they are both responsible for their proportionate share of the increase in operating costs over the Base Year of 1990. All amounts payable shall be deemed to be additional rent.

13. That the listing of Appointments To and Terminations From Permanent positions with the Corporation to 1992 January 13 attached hereto as Appendix "A" be approved.

14. That the following salary classification be approved:

POSITION TITLE	FUNCTION	GRADE	SALARY
General Foreman/woman (Facilities) (formerly General Foreman/woman-Turf)	Manages and co-ordinates the operations and development of the Hamilton Civic Golf Courses, Lawn Bowling Clubs, outdoor sports facilities and ski hill facilities.	K	$47,412.56 - $55,811.08 per annum

15. (a) That the corporate policies for the Performance Excellence Programme outlined in Appendix "A" of the Joint Report of Mr. J. Pavelka, City's Acting Chief Administrative Officer and Mr. W.M. Carson, Region's Chief Administrative Officer, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be approved.

(b) That the Performance Excellence Programme Status Report, as outlined in Appendix "B" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.

(c) That the procedures defining implementation of policies, as outlined in Appendix "C" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.

16. (a) That additional repairs to the Truck Frame, Pump House Structure, and Water Tank to Fire Department Pumper #10 in the additional amount of $4,488.65 be approved.

(b) That this expenditure be charged to Account No. CH5X522 00103 Reserve for Major Vehicle Repairs.

(c) That the total repair cost of $58,487.65 to Fire Department Pumper #10 (including $53,999. for the original approved repair expenditure) be added to the original cost (being $109,586.) of the Pumper #10 (Vehicle No. 1663) for depreciation purposes.

17. That the City of Hamilton serve an Offer to Settle in Ontario Court (General Division) Action No. 3511A/87 on the following terms:

(a) That the Third Party Action and any cross-claims by and against The Corporation of the City of Hamilton be dismissed without costs.

(b) That this Offer remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

18. (a) That the City of Hamilton Offer to Settle Ontario Court (General Division) Action No. 19757/90 on the following terms:

(i) That the City pay to the Plaintiff, Trudi Jeanette Gould, the sum of $2,500. inclusive of all damages, interest and costs.

(ii) That the action and all cross-claims as against The Corporation of the City of Hamilton be dismissed without costs.

(iii) That this Offer remain open for acceptance until the commencement of trial until withdrawn whichever first occurs.

(b) That the Plaintiff Trudi Gould, be required to execute a Full and Final Release in a form satisfactory to the City's Law Department.

19. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 20081/90 by the payment to the Plaintiff, John Hamill, of $1,500. inclusive of all damages, interest and costs.

(b) That Ontario Court (General Division) Action No. 20081/90 be dismissed without costs.

(c) That the Plaintiff, John Hamill, be required to sign a Full and Final Release in a form satisfactory to the City Law Department.

20. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19469/90 by payment to the Plaintiff, Laura Dowhaniuk of:

(i) $12,000. inclusive of all her claim for damages, interest and costs; and

(ii) 50% of the applicable O.H.I.P. accounts once ascertained.

(b) That Ontario Court (General Division) Action 19469/90 be dismissed without costs.

(c) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City's Law Department.

21. That the Memorandum of Agreement between the Corporation of The City of Hamilton and I.U.O.E. Local 772 dated 1991 November 25, attached hereto as Appendix "B", be approved and implemented in accordance with the terms therein.

22. That City Council request the participation with Regional Council to undertake a review of the rationalization of a single tier bureaucracy and that this process be directed by a Special Steering Committee comprised of the Mayor, Regional Chairman, Chairman of the City's Finance and Administration Committee, Chairman of the Region's Administration Committee and the two Chief Administrative Officers, to be chaired by the Chairman of the City's Finance and Administration Committee and report back on what necessary outside resources would be necessary to complete the study.

23. That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of Chief Administrative Officer for the City on a contractual basis consistent with the Selection Procedure adopted by City Council 1982 January 26 and that the terms of the employment be for a period of three (3) years.

24. (a) That the Director of Property be authorized and directed to implement Recommendation #7 as outlined in his Private and Confidential Report dated 1992 January 20, copies of which have been previously distributed to all members of City Council under separate cover, at an estimated cost of $3,700.

(b) That this expenditure be financed through the Capital Budget for the purpose of improving security at City Hall.

(c) That the services of the additional security guard presently stationed on the second floor of City Hall be discontinued once Recommendation #7 has been implemented.

25. That leave be granted to introduce the following Bill:

(a) Bill H-10 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1992 January 23

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Alan Cochrane	Shop Superintendent	Traffic	Retired	43 years, 3 months	31/12/91
Ms. Helen Davidson	Administrative Assistant III	Public Works	Retired	14 years, 3 months	31/12/91
Ms. Irene Kozak	Stenographer II	Building	Retired	15 years, 7 months	31/12/91
Ms. Carolyn Melia	Hospitality Sales Executive	H.E.C.F.I.	Resigned	3 years	16/12/91
Ms. Lily Milanovic	Administrative Assistant IV	City Clerk's	Resigned	4 months	03/01/92
Mr. Louis Sage	Chief Administrative Officer	Chief Administrative Office	Retired	10 years, 11 months	31/12/91
Mr. Carl VanVeen	Street Sweeper Operator	Public Works	Resigned	1 month	27/12/91

Prepared 13/01/92

Appendix A as Referred to in Section 13 of the FOURTH Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Cosentino	Parking Meter Technician (12)	Parking Authority	New Position - Result of Rightsizing	$32,910.80 to $35,772.36	01/01/92
Mr. Vince Cosentino	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	$30,605.64 to $33,627.52	01/01/92
Mr. Frank Czajkowski	Yard Attendant (14-B)	Public Works	Replacing Mr. R. Williamson - retired	$31,611.84 to $32,027.84	30/09/91
Mr. Larry Dilks	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	$30,605.64 to $33,627.52	01/01/92
Mr. Dwight Douglas	Sports Facilities Handyperson (13)	Public Works	Replacing Mr. G. Greco - retired	$31,952.96 to $32,368.96	31/12/91
Mr. Jeffrey Everets	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	$30,605.64 to $33,267.52	01/01/92
Mr. Tony Lau	Budget Co-ordinator (M)	Building	Replacing Mr. F. Reynolds - retired	$38,705.16 to $45,542.12	30/12/91

Prepared 13/01/92

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Robert Macaulay	Traffic Service Foreman/Woman (13-A)	Traffic	Replacing Mr. A. Runtes - retired	$31,704.40 to $37,763.96	01/01/92
Mr. Mike Murphy	Truck Driver (13-A)	Public Works	Replacing Mr. A. Berry - returning to former position	$31,008.64 to $31,424.64	23/12/91
Mr. Callum Neil	Firefighter I (C-5)	Fire	Replacing Mr. D. Kurceba - resigned	$49,087.72	01/12/91
Mr. Robert St. Clair	Caretaker (5-C)	Property	Replacing Mr. G. Cino - retired	$24,601.20 to $26,741.00	31/12/91

Prepared 13/01/92

THIS MEMORANDUM OF AGREEMENT MADE THIS 25TH OF NOVEMBER, 1991

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

AND

THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

THE CIVIC EMPLOYEES OF THE INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 772,
A.F.L., C.I.O., C.L.C.

I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.

II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.

III The parties herein agree that the term of the Collective Agreement shall be August 1, 1991 to July 31, 1994.

IV The parties agree that all provisions of the Collective Agreement covering the period August 1, 1989 to July 31, 1991 shall continue in effect as amended by the following provisions.

V The Collective Agreement shall be amended in accordance with the following, including attachments and such amendments in Appendix "A" shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto unless specifically provided otherwise.

The following are the amendments referred to in item V above:

ECONOMIC ADJUSTMENTS

The appropriate Articles of the Collective Agreement shall be amended to reflect the economic adjustments listed below:

All adjustments listed below shall be made on August 1st of each year unless stated otherwise.

	1991	1992	1993
1: Shift premiums & Weekend premium	(65 cents)	5 cents (70 cents)	10 cents (80 cents)
2: Vision Care		$250/24months	
3: Schedule "A"	4% August 1, 1991 2% February 1, 1992 4% August 1, 1992 1% February 1, 1993 5% August 1, 1993		

ARTICLE 5: OVERTIME COMPENSATION

5.11 ADD new clause:

Any employees (other than operators) may be allowed to place accumulated overtime in a lieu time bank drawing from and adding to said bank. The maximum balance in the lieu bank shall not exceed sixteen (16) converted hours of overtime. Employees may draw from this lieu time bank in eight (8) hour increments. This lieu time shall be granted at a time mutually agreed upon by the employee and the employer taking into account the operational requirements of the area in which the employee works. An employee shall not be allowed to carry over any unused lieu time from one calendar year to the next.
Consequently, the employer shall process payment for any unused lieu time by December 31st of each year.

ARTICLE 10: SICK LEAVE, PENSION GROUP MEDICAL AND HOSPITALIZATION PLANS

10.4 AMEND clause as follows:

The Employer shall pay the cost of maintaining the enrolment of all employees in O.H.I.P. as per the regulations.

ARTICLE 11: LEAVE OF ABSENCE

11.11 AMEND clause as follows:

Maternity/Paternity Leave shall be granted on the conditions as set down in the Employment Standards Act of the Province of Ontario.

14. SENIORITY RATING

14.1 AMEND clause as follows:

Employees with less that ninety (90) working days service shall be considered probationary employees and will have no seniority rights. Notwithstanding anything to the contrary contained in this Agreement, the Employer shall have the exclusive right to discharge employees within the first ninety (90) working days of their employment, and such discharge may not become the subject of any grievance under the provisions of this Agreement.

14.2 AMEND to read as follows:

(a) Seniority for the purpose of this Agreement shall be defined as the length of aggregate service of an employee in the scope of Local 772 with the Employer, uninterrupted by severance of service with the Employer other than lay-off as provided for in the Collective Agreement.

(b) Total service with the Employer will be the governing factor for seniority for those employees in the bargaining unit prior to January 1, 1992.

(c) The intent of the foregoing is to apply for purposes of lay-offs, recalls and promotions.

14.5(f) AMEND clause as follows:

An employee who has not been in receipt of pay for any reason for a period of thirty (30) months, shall be terminated by the Employer at the end of the thirty (30) month period.

For the purpose of this clause an employee shall not be considered to be in receipt of pay when he receives S.T.D., L.T.D., W.C., vacation pay or is reimbursed from an overtime lieu bank.

15. GRIEVANCE PROCEDURE

15.11 ADD new clause as follows:

A Union policy grievance or a Company grievance may be submitted to the Company or the Union, as the case may be, in writing within ten (10) days from the time the circumstances upon which the grievance is based were known or should have been known by the grievor. A meeting between the Company and the Union shall be held within five (5) working days of the presentation of the written grievance and shall take place within the framework of Step No. 3 of Article 18.5 hereof. The Company or the Union, as the case may be, shall give its written decision within five (5) working days after such meeting has been held.

If the decision is unsatisfactory to the grieving party, the grievance may be submitted to arbitration within five (5) days of delivery of such written decision and the arbitration sections of this agreement shall be followed.

LETTER OF UNDERSTANDING

The parties agree that representatives of each will meet within one month of the ratification of the agreement to develop a work schedule which accommodates the employee's requirement for at least two consecutive days off with the employer's requirement for flexible scheduling which minimizes the necessity for overtime with respect to its/HECFI facilities.

LETTER OF UNDERSTANDING

The parties agree that employees who find themselves unable to wear the type of safety boots which can be obtained through company stores, may purchase others on their own and will, upon submission of an appropriate receipt, be reimbursed an amount equivalent to the employer's cost for similar shoe.

Dated November 25, 1991

On Behalf of the Union

On Behalf of the Employer

BILLS

CITY COUNCIL

JANUARY 28, 1992

URBAN MUNICIPAL

GOV

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 2 and 3, PLAN 62R-10200 INTO ROYALVISTA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Royalvista Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Royalvista Drive.

Part of Parcel 6-6, Section Bar. 8(c)

Being Parts of Lot 6, Concession 8, in the geographic Township of Barton, designated as Parts 2 and 3, Plan 62R-10200

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 5, PLAN 62R-10200 INTO TEMPLEMEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Templemead Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Templemead Drive.

Part of Parcel 6-6, Section Bar. 8(c)

Being Parts of Lot 6, Concession 8, in the geographic Township of Barton, designated as Part 5, Plan 62R-10200

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PART 6, PLAN 62R-10200
AND PART 13, PLAN 62R-9377
INTO TEMPLEMEAD DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Templemead Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Templemead Drive.

Firstly

Part of Parcel 6-6, Section Bar. 8(c)

Being part of Lot 6, Concession 8, in the geographic Township of Barton, designated as Part 6, Plan 62R-10200.

being part of the Parcel, and

Secondly

Part of Parcel 6-3, Section Bar. 8(c)

Being part of Lot 6, Concession 8, in the geographic Township of Barton, designated as Part 13, Plan 62R-9377.

being part of the Parcel.

all in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PART 1, PLAN 62R-12045 INTO ELITE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elite Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elite Drive.

Part of Lot 10, Concession 8, in the geographic Township of Barton, designated as Part 1, Plan 62R-12045.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

BILL NO. A - 17

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25A (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Schedule 14 (One Hour Limit)** the following item, namely:-

"West 3rd	West	McElroy to Southbend".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"West 3rd	East	McElroy to Southbend
Dunsmure	North	commencing at a point 46 feet west of Ottawa to a point 20 feet westerly therefrom".

3. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Albany	North	commencing at a point 237 feet east of Kenilworth to a point 24 feet easterly therefrom	Anytime
Picton	South	commencing at a point 173 feet east of Bay to a point 17 feet easterly therefrom	Anytime
Ray	West	commencing at a point 75 feet south of York to a point 20 feet southerly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BILL NO. A - 18

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Dunsmure	North	Ottawa to 60 feet west".

and by adding thereto the following item, namely:-

"Dunsmure	North	Ottawa to 46 feet west".

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Albany	North	24 feet	237 feet east of Kenilworth	11:00 a.m. - 8:30 p.m.".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

Bill No. C-18

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 104

Respecting:

LAND LOCATED AT MUNICIPAL NO. 623 UPPER JAMES STREET, WITHIN THE CENTREMOUNT NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 104 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992) 1 R.P.D.C. 36(a), January 14
Kingdom Properties Inc., Prospective Owner
ZA-91-49

Amendment No. 104

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 104.

Purpose

The purpose of this Amendment is to redesignate the subject lands from "Commercial" to "Residential", on Schedule "A" - Land Use Concept of the Official Plan.

Location

The lands affected by this Amendment are the front portion of the property known municipally as 623 Upper James Street, within the Centremount Neighbourhood.

Basis

The basis for permitting the proposal, to develop a five storey, 34 unit apartment building, is as follows:

- it is located on a major arterial road, where higher density uses are preferably located;
- it is compatible with the surrounding development, including two apartment buildings to the south; and,
- it is located in close proximity to shopping facilities, public transit, and other amenities.

Actual Change

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Commercial" to "Residential", as shown on the attached Schedule "A" of this Amendment.

Implementation

A Zoning By-law amendment will give effect to the intended use on the subject lands.

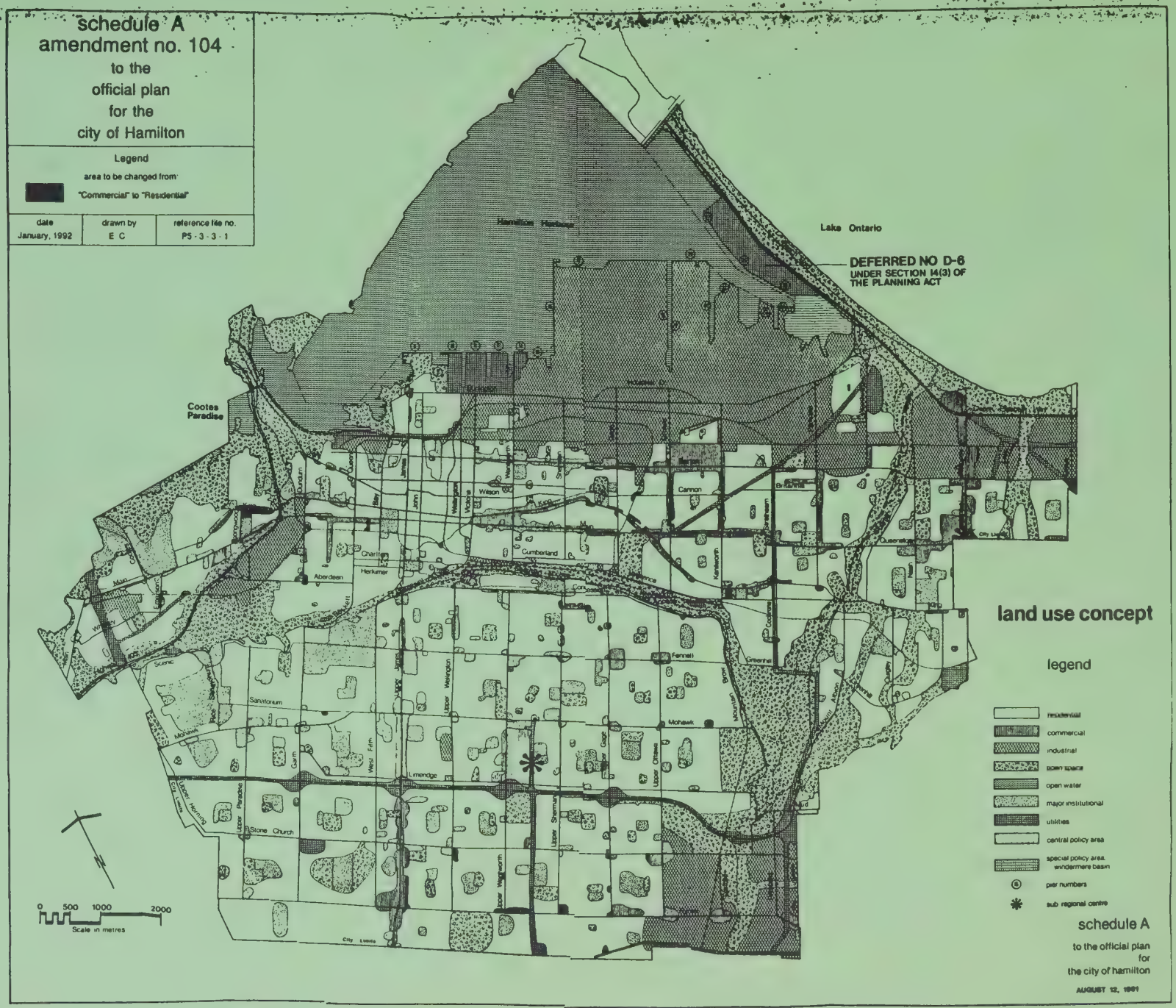
This is Schedule "1" to By-law No. 92- , passed on the day of , 1992.

The Corporation of the

City of Hamilton

City Clerk

Mayor


schedule A
amendment no. 104
to the
official plan
for the
city of Hamilton
Legend
area to be changed from
"Commercial" to "Residential"
date
January, 1992
drawn by
E C
reference file no.
P5 - 3 - 3 - 1
Hamilton Harbour
Lake Ontario
DEFERRED NO D-6
UNDER SECTION 14(3) OF
THE PLANNING ACT
Cootes
Paradise
Cannon
Wilson
Cumberland
Aberdeen
Fennell
Sanatorium
Mohawk
Upper Paradise
Stone Church
0 500 1000 2000
Scale in metres
land use concept
legend
residential
commercial
industrial
open space
open water
major institutional
utilities
central policy area
special policy area
windermere basin
per numbers
sub regional centre
schedule A
to the official plan
for
the city of hamilton
AUGUST 12, 1991

Bill No. H-10

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JANUARY A.D., 1992.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1992

CITY CLERK **MAYOR**

URBAN/MUNICIPAL
CAN ON HBL A05
A31 1992

URBAN MUNICIPAL
GOV MENT DOCUMENTS

J. J. SCHATZ
CITY CLERK

PHONE (416) 546-2700
FAX (416) 546-2095

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1992 February 11
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. **Opening Prayer**

   Pastor Ivars Gaide
   Christ Lutheran Church

2. **Presentation**

   Non-Perishable Food Drive Framed Poster - Prize
   Fire Chief Glenn Weylie

3. **Proclamations**

   (a) Single Parent Week - 1992 February 16 to 1992 February 22

   (b) Black History Month - 1992 February

   (c) Oxfam Day - 1992 February 29

4. **Minutes**

   1992 January 28

5. Petitions and Correspondence

6. Reports of the Standing Committees

(a) Transport and Environment Committee

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(h) Finance and Administration Committee

7. Notices of Motion for Next Meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment

MINUTES

Hamilton City Council
1992 January 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow,

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Reverend Desmond Fleming, St. Stephen of the Mount led the Council in prayer.

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Mayor R. M. Morrow presented Mitch Mahoney with a civic pin in recognition of winning the 1991 Ontario Juvenile Golf Championship.

Mayor Morrow proclaimed the following:

"Heart and Stroke Month" for February, 1992.

"White Cane Week " for the week of February 2 to February 8, 1992.

"Victorian Order of Nurses Week" for the week of January 26 to February 1, 1992.

"International Development Week" for the week of February 3 to February 7, 1992.

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The minutes of the meeting held 1992 January 14 were taken as read and approved.

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Correspondence:

1. Petition in opposition to the application for an Official Plan Amendment respecting property located on the south side of Studholme Road, west of Beddoe Drive.

Received.

2. Application dated 1992 January 24 from 603815 Ontario Inc. (David Armstrong - Agent) for a modification to the established "C" (Urban Protected Residential, etc.) District for 1492 Upper James Street, Hamilton, Ontario.

Received.

3. Letter dated 1992 January 28 from Pam Smith, 1102 Upper Sherman Avenue, Hamilton, Ontario withdrawing her objection to By-law 91-206 respecting Land Located on the south-west corner of Upper Sherman Avenue and Limeridge Road East, subject to various conditions.

Received.

4. Letter dated 1992 January 22 from David Christopherson, M.P.P. enclosing a copy of the report, Ontario Fiscal Outlook: Meeting the Challenges, released on 1992 January 21, by Treasurer Floyd Laughren.

Received.

5. Letter dated 1992 January 21 from The Honourable Dave Cooke, Minister of Municipal Affairs announcing allocations for schools, universities, hospitals and unconditional transfers to municipalities.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Drury that the reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: 0. **CARRIED.**

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TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

Section 15 Re: Stop up and closing of road allowance - Beckley Drive

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns and operates a store in close proximity of this undertaking.

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Section 17 Re: Hamilton General Hospital staff parking - Mountain Park Avenue

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 17 of the Second Report of the Transport and Environment Committee be amended by adding Sub-section (c) as follows:

(c) That the City of Hamilton accept the offer of the Henderson Hospital to share equally the estimated $40,000.00 revenue associated with the sale of these parking permits to Hospital employees. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 5 Re: Hourly Ice Rentals - Civic Arenas

It was moved by Alderman Eisenberger and seconded by Alderman Agostino that section 5 of the Second Report of the Parks and Recreation Committee be amended by:

deleting the words "three year" in the first line and substituting in lieu thereof the word "1992" and by deleting the columns titled "1993" and "1994". **CARRIED.**

Recorded vote on Section 5 as amended

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 6 Re: Fee Schedule for Chedoke and King's Forest Golf Courses

It was moved by Alderman Drury and seconded by Alderman Morelli that section 6 of the Second Report of the Parks and Recreation Committee be amended by adding the following as subsection (c)

(c) That the tournament surcharge be raised from $2.00 to $3.00 per player. **CARRIED.**

Recorded vote on amendment

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Kiss, Jackson. -2. **CARRIED.**

It was moved by Alderman Agostino and seconded by Alderman Morelli that section 6 of the Second Report of the Parks and Recreation Committee be amended by revising the rate structure in the following manner:

(a) That the adult (male and female) membership rate at Chedoke be $575.00

(b) That the adult (male and female) membership rate at King's Forest be $685.00

(c) That the 18 hole green fees be set at $26.00

(d) That the Senior membership rates be increased by $40.00 over the 1991 rates.

Recorded vote on amendment

YEAS: Aldermen Morelli, Agostino. -2.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Jackson, Charters, Anderson, D'Amico, Ross. -14. **LOST**

Recorded vote on Section 6 as amended.

YEAS: Mayor Morrow, Alderman Cooke, Agro, McCulloch, Drury, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Morelli, Copps, Wilson, Agostino. -5. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT

Section 7 (b) Re: Membership - Local Architectural Conservation Advisory Committee

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 7 Sub-section (b) of the Second Report of the Planning and Development Committee be amended by adding to the list the following name: J. Brian Henley

CARRIED.

* * * * * * * * * * * * *

Section 15 Re: Chedoke Park Neighbourhood Plan - 100 Beddoe Drive (LAPP)

Recorded vote:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1. **CARRIED.**

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Section 16 Re: Official Plan Amendment - Chedoke Heights Inc.

Recorded vote:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1. **CARRIED.**

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Section 17 Re: Bill C-19: A By-law to amend Zoning By-law No. 6593 as amended by By-law 91-206 respecting land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.

It was moved by Alderman Merling and seconded by Alderman Anderson that section 17 of the Second Report of the Planning and Development Committee be amended by adding Sub-section (b) as follows:

(b) Bill C-19: A By-law to amend Zoning By-law No. 6593 as amended by By-law 91-206 respecting land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.

FINANCE AND ADMINISTRATION COMMITTEE - FOURTH REPORT

Section 15 Re: Performance Excellence Programme

Recorded vote:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

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Section 22 Re: Single Tier Bureaucracy Review

It was moved by Alderman Eisenberger and seconded by Alderman Charters that section 22 of the Fourth Report of the Finance and Administration Committee be amended by designating the first paragraph as subsection (a) and adding the following as subsections (b) and (c).

(b) That the Steering Committee report back by 1992 March 30 with a critical path time frame for the work to be carried out on the review.

(c) That an additional member of City Council and Regional Council be added to the composition of the Steering Committee. **CARRIED.**

Recorded vote on section 22 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 23 Re: Post and Advertise the position of Chief Administrative Officer

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Agro. -1. **CARRIED.**

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Section 24 Re: City Hall Security

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Drury. -1. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that Alderman D. Drury be appointed Acting Mayor for the month of February, 1992. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills be now read a first time:

A-13, A-14, A-15, A-16, A-17, A-18.
C-18, C-19.
H-10.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * *

It was moved by Alderman Kiss seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-13, A-14, A-15, A-16, A-17, A-18.
C-18, C-19.
H-10.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-13, A-14, A-15, A-16, A-17, A-18.
C-18, C-19.
H-10.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-13, A-14, A-15, A-16, A-17, A-18.
C-18, C-19.
H-10.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:35 o'clock p.m.

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J. J. Schatz, City Clerk
1992 January 28

CORRESPONDENCE

CORRESPONDENCE

1. Letter dated 1992 January 28 from the Town of Flamborough respecting a resolution requesting the Region, Area Municipalities and Boards of Education to support the opening of discussions with various bargaining units in light of the current economic climate.

Recommendation: Be Referred to the Finance and Administration Committee

2. Letter dated 1992 January 20 from the City of Waterloo regarding a workshop focusing on issues relating to Continuous Improvement and the Provincial 1992 Budget.

Recommendation: Be Referred to the Finance and Administration Committee.

3. Letter dated 1992 January 20 from the City of Waterloo requesting a report on the City of Hamilton's experience regarding Continuous Improvement.

Recommendation: Be Referred to the City's Management Team

4. Letter dated 1992 February 5 from J. V. Gates (in trust for a Company to be incorporated), Burlington, Ontario for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs etc.) District regulations for 124 Walnut Street South, Hamilton, Ontario. (previously distributed)

Recommendation: Be Received.

5. Letter dated 1992 February 3 from Harper Brothers Holding, Hamilton, Ontario for a change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-3" (Commercial Residential District for 212 James Street South, Hamilton, Ontario. (previously distributed)

Recommendation: Be Received.

163 Dundas St. E.
P.O. Box 50
TOWN OF FLAMBOROUGH
Waterdown, Ontario L0R 2H0

Waterdown (416) 689-7351
Hamilton (416) 524-0322
Toronto (416) 825-2176
Lynden (519) 647-2577
Fax (416) 689-3310

RECEIVED
JAN 30 1992
CITY CLERKS

1.

January 28, 1992

Mr. Joe Schatz
The City of Hamilton
71 Main Street West
2nd Floor
Hamilton, Ontario
L8N 3T4

Dear Sir:

On January 20, 1992 the Budget and Corporate Goals Committee, consisting of all Members of Council, passed the motion requesting the Region, Area Municipalities and Boards of Education to support the opening of discussions with various bargaining units to ascertain cost saving methods and the possibility of re-negotiating the remainder of their contract particularly prior to budget deliberations for 1993.

The Budget and Corporate Goals Committee also directed the Chief Administrative Officer for the Town of Flamborough to meet with the local representatives of both CUPE Local 5 and CUPE Local 167 to address this matter. Currently meetings have been scheduled to commence these discussions.

I have attached for your reference a copy of the motion of the Budget and Corporate Goals Committee and on behalf of the Council of the Town of Flamborough, would ask for your consideration of this request.

You will be informed of Council's ratification of this decision following our next regular meeting to be held February 3, 1992.

Thank you for your attention to this matter.

Sincerely yours,

(Mrs.) M. Jane Lee, A.M.C.T.
Clerk/Director of Administrative Services

MJL:jb
L029-92
cc: B. Rennick, C.A.O.
B. Roberts, Dir. of Finance

A

City of Waterloo
Brian Turnbull, Mayor

Cit
P.C
Wa
(51

2.

January 20, 1992

Mayor Robert Morrow and
Members of Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow and Members of Council:

Municipalities are cutting back on convention budgets and searching for ways to improve service while keeping taxes in line. This year's annual meeting is designed with you in mind. It will be a bare-bones event -- a one-day workshop focussing on two important issues that will help you manage your municipality.

TOPICS

1. Total Quality Management or Continuous Improvement is the term given to a process that teaches us how to achieve improvements in service with the same or fewer resources. At the workshop, case histories of municipal experiences will be outlined.

2. The Provincial 1992 Budget will be presented to the legislature around 14 April 1992. We are inviting Treasurer Floyd Laughren to explain to us how the budget affects municipalities and to hear our reaction to it.

Please set aside Friday, 24 April 1992 for this workshop which will be held in Waterloo. Details on the program, location and cost will follow but the cost will be well under $100 per delegate.

Yours truly,

Brian Turnbull

BRIAN TURNBULL
MAYOR
CHAIR, LARGE URBAN
SECTION

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City of Waterloo

Brian Turnbull, Mayor

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January 20, 1992

Mayor Robert Morrow and
Members of Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow and Members of Council:

At the A.M.O. Large Urban Section workshop on 24 April 1992, we are going to outline three to four municipal case studies.

Has your city had any experience in bringing in programs or policies related to Total Quality Management, also known as Continuous Improvement? If so, I would like to ask that you outline your experience in a short one-to-two-page letter to me. It is our intention to select examples and compile the results of this survey for the workshop participants.

We would select examples of some of the more instructive experiences and ask the individuals responsible to make a presentation to the workshop.

It will be helpful to us all to understand each others' experience -- both successful and unsuccessful.

Yours truly,

Brian Turnbull

BRIAN TURNBULL
MAYOR
CHAIR, LARGE URBAN
SECTION

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Public sector improving service quality

By Sandford Borins

For the Financial Post

RECENTLY, Financial Post editor Diane Francis wrote glowingly about the British government's Citizens' Charter, which requires public sector agencies to develop and meet service-delivery targets ("Giving public sector a dose of the market," The Financial Post, Nov. 19). She is right that this is a path-breaking initiative and equally correct in urging Canada to emulate it.

She ended her column with the predictable fulminations against Canadian "socialists [who] serve up Britain's shop-worn ideas — public housing galore, deficits, bloated bureaucracies ..." What she might have done was to ask whether any Canadian governments are emulating the Citizens' Charter.

In fact, a quiet revolution is well under way in public sector management in Canada. Like their private sector counterparts, many Canadian public sector managers — at all levels of government and regardless of ideological persuasion — have become caught up in the managerial religion of service quality. Numerous initiatives should be mentioned.

SANDFORD BORINS *is Professor of Public Management and Director of the Centre for Public Management at the University of Toronto.*

The Auditor-General of Canada's 1988 report, in the midst of the usual litany of criticism of instances of public sector inefficiency, described eight well-performing federal government organizations, discussed the characteristics they had in common and urged other departments to emulate them. The federal government's Public Service 2000 initiative has made improved customer service a major priority for which deputy ministers are now being held accountable.

The federal government has also designated a number of Special Operating Agencies, some (the Passport Office and the Intellectual Property Office) that serve the public directly and others (the Government Telecommunications Agency) that provide services to government. Managers of these agencies are being required to meet more exacting service quality targets and are being given increased flexibility to do it.

Similar initiatives are being undertaken by the provinces. In 1987, Saskatchewan instituted "Serving People First," a program of staff training and development designed to improve service quality by all departments. In 1990, British Columbia established a Service Quality Secretariat to spread the same message to its public service. Ontario is now doing likewise, beginning with a study of public perceptions of government service quality.

Another major player in the public sector service quality movement is the Institute of Public Administration of Canada, a learned society whose membership includes both public management academics and many senior public servants throughout the country.

IPAC has sponsored a number of conferences on public sector service quality, one of which has become the basis for a recently published book, The Well-Performing Government Organization, edited by James McDavid, of the University of Victoria, and Brian Marson, chairman of British Columbia's Service Quality Secretariat.

Beginning with Japan's Deming Award in the 1950s, awards have played an important role in the service quality movement, as they encourage organizations to strive for improvement, celebrate their successes, and learn from each other. Readers of The Financial Post, which supports numerous awards of its own, will be well aware of this.

They should also know that in 1990, IPAC, with the financial support of the consulting firm of Coopers and Lybrand, launched an annual innovative public management award. The IPAC award, which had the theme of service quality in 1990 and of empowerment in 1991, has already been a great hit, with entries from all levels of government across Canada.

It concerns me that these initiatives have not been well-reported in the media. The service quality movement in the Canadian public sector will gain momentum if, as in Britain, it has strong political leadership. Politicians will lead if, as in Britain, successful service quality initiatives get media attention. Conversely, if the media ignore service quality initiatives, politicians won't give them much priority and their potential will not be realized.

This is not to say the media should simply be cheerleaders. Rather, they should develop an ongoing interest in public sector service quality, praising initiatives that work, criticizing departments that aren't moving forward and continually urging the public sector on to better performance. This would simply be similar to the way the media write about the private sector, both exposing failure and celebrating success.

Better public sector service quality won't solve our constitutional problems. But it will reduce government spending and thus help alleviate the public sector debt burden. It will improve the morale of public servants and enhance consumer satisfaction. And it just may help to reduce popular cynicism about the public sector.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1992 and respectfully recommends:

1. (a) That the portion of Section 30 of the Fourteenth Report of the Transport and Environment Committee adopted by City Council on 1989 August 29 which refers to the approval of the engineering schedules and the City's share of services for "Gagliano Gardens Addition", be deleted; and

(b) That the submitted schedules of works, be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:

"EDAN HEIGHTS - PHASE 2", Hamilton

City's Share - Nil Subdivider's Share - $105,377.05

"GAGLIANO GARDENS ADDITION", Hamilton

City's Share - $134,250.00 Subdivider's Share - $231,340.00

"KINGSVIEW ESTATES - PHASE I", Hamilton

City's Share - Nil Owner's Share - $90,534.00

THE GARDENS OF RYMAL - PHASE 2, Hamilton

City's Share $410,111.80 Owner's Share - $203,168.74

(c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the owners of Edan Heights - Phase 2, Gagliano Gardens Addition, Kingsview Estates - Phase 1 and The Gardens of Rymal - Phase 2 subdivisions.

(d) That approval of the above clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.

(e) That in the event the subdivider wishes to proceed prior to the registration of the Final Plan, they should be allowed to do so at their own risk provided that they enter into a standard agreement for pre-servicing.

(f) That the City's share of costs for services in Gagliano Gardens Addition ($134,250.00) and The Gardens of Rymal - Phase 2 ($410,111.80) be approved and the Finance and Administration Committee recommend the source of funding for these projects.

(g) That the Senior Director of the Roads Department be authorized and directed to prepare the necessary by-laws to establish Parts 1, 5 and 8 of Reference Plan 62R-11311 as Public Highways for Arrowhead Drive, Upper Wentworth Street and Bianca Drive respectively in order to provide road access to The Gardens of Rymal - Phase 2 subdivision and surrounding lands.

2. (a) That the following City lands be closed, stopped-up and retained as noted below:

Greenhill Avenue	Parts 5 and 6 on Plan 62R-6273 excepting Part 3 on Plan 62R-7888

(b) That the appropriate by-law to carry out the closing, stopping-up and retention of the foregoing be enacted by Council.

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

3. (a) That three-way stop control be implemented at the intersection of Prince George Street and Brucedale Avenue; and

(b) That the northbound and southbound stop control at the intersection of East 8th Street and Brucedale Avenue be switched to eastbound and westbound stop control; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

4. (a) That northbound traffic on London Street North be required to stop for eastbound and westbound traffic on Edinburgh Avenue; and

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That the existing "No Parking" regulation on the west side of Glen Vista Drive between Greenhill Avenue and Brookstream Court, be removed; and

(b) That a "No Parking" regulation be implemented on the east side of Glen Vista Drive from Greenhill Avenue to a point 328 feet southerly therefrom; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That the existing "Alternate Side Parking" regulation on Milton Avenue from Barton Street East to Myler Street be replaced with a "No Parking" regulation on the west side and a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side; and

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That parking be prohibited at all times on the west side of Bond Street South from King Street West to a point 130 feet southerly therefrom; and

(b) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Bond Street South which commences at King Street South and extends to a point 104 feet southerly therefrom, be removed; and

(c) That the existing "Alternate Side Parking" regulation on Bond Street South between King Street West and Marion Avenue, be shortened such that the regulation commences at a point 85 feet south of King Street West on the east side of 130 feet south of King Street West on the west side and extends to Marion Avenue, and

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

8. (a) That a "No Parking, 6:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Carling Street commencing 153 feet east of Paradise Road South and extending to a point 113 feet easterly therefrom; and

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

9. (a) That a "Permit Parking" regulation be implemented on the south side of Mars Avenue commencing at a point 163 feet east of Emerald Street North and extending to a point 20 feet easterly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Orgar, 18 Mars Avenue; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

10. (a) That the existing residential boulevard parking agreement registered as Instrument No. 39116 to the property at 65 Oak Avenue be discharged at the property owner's expense; and

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and

(c) That the City Treasurer be directed to revise the billing records accordingly.

11. That no action be taken on the request by the Hamilton Region Conservation Authority to allow their staff to issue parking infraction notices on municipal roadways abutting Conservation Authority property.

12. (a) That the Commissioner of Transportation/Environmental Services be authorized to undertake the additional 1992 Road and Sidewalk Capital Improvement Programme works at a cost of $2,536,000.00 on behalf of the City of Hamilton subject to receiving all necessary approvals.

(b) That the Finance and Administration Committee be requested to recommend the source of financing the additional two million, five hundred and thirty-six thousand dollars ($2,536,000.00) to a total of five million, five hundred thousand dollars ($5,500,000.00) out of the proposed eight million, one hundred and twenty thousand dollars ($8,120,000.00) 1992 Road and Sidewalk Capital Improvement Programme.

13. (a) That, in accordance with the City Council directive of 1991 October 29, a Pedestrian Advisory Sub-Committee of the Transport and Environment Committee be established and operated in accordance with the Terms of Reference appended hereto as Appendix "A"; and

(b) That the Pedestrian Safety Advisory Sub-Committee include the following members:

- Chairperson and one member of the Transport and Environment Committee
- one representative of the Hamilton Automobile Club; and
- one staff representative of the Board of Education for the City of Hamilton; and
- one staff representative of the Hamilton-Wentworth Roman Catholic Separate School Board; and
- one representative of the Hamilton Safety Council; and
- one representative of the Council on Road Trauma; and
- two citizen members at large; and
- staff (non-voting members) of the Traffic, Regional Engineering and Regional Police Departments

(c) That a staff member of the Traffic Department be the Secretary of the Sub-Committee.

14. (a) That the City of Hamilton assume the responsibilities from the Regional Municipality of Hamilton-Wentworth for enforcement of the City's Noise Control By-law.

(b) That the Noise Control Officer be incorporated into the Public Works Department, reporting to the Manager of Streets and Sanitation as outlined in the organization chart appended hereto as Appendix "B".

15. (a) That the following City lands be closed, stopped-up and retained as noted below:

Parts of Kelly Street	Parts 7 and 8, Plan 62R-12040
Part of Elgin Street	Part 5, Plan 62R-12040

(b) That the by-law to carry out the closing, stopping-up and retention of the foregoing be enacted by Council.

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

16. That the Director of Traffic Services be directed to immediately, by way of order of the Chief of Police, institute "no stopping" on the south side of Columbia Drive, westerly from the intersection of Bendamere Avenue for a distance of 150 ft., on a temporary basis, until the issue of school crossing guards have been reviewed.

17. That leave be granted to introduce the following Bills:

(a) **Bill A-19** By-law to Authorize Construction of Local Improvements of Concrete Sidewalks on the south-west corner of Stone Church Road and Upper Wentworth Street - $20,990.00

(b) **Bill A-20** By-law to Stop-up, Close and Retain Portions of Kelly Street

(c) **Bill A-21** By-law to Stop-up, Close and Retain a Portion of Elgin Street

(d) **Bill A-22** By-law to Close and to Authorize the Sale of Greenhill Avenue Parts 5 and 6, Plan 62R-6273, Excepting Part 3, Plan 62R-7888

(e) **Bill A-23** By-law to Amend By-law No. 89-72 to Regulate Traffic

(f) **Bill A-24** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRPERSON
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1992 February 3

Appendix "A" as referred to in Section 13 of the THIRD Report of the Transport and Environment Committee for 1992

PEDESTRIAN SAFETY ADVISORY SUB-COMMITTEE

TERMS OF REFERENCE

1. The Sub-Committee shall be called "The Pedestrian Safety Advisory Sub-Committee".

2. The Sub-Committee shall meet at the call of the Chairperson.

3. The mandate of the Sub-Committee shall be to report to the Transport and Environment Committee respecting policies specifically related to pedestrian safety in the City of Hamilton.

4. The Sub-Committee shall concern itself with City-wide policy matters, and not with issues related only to specific sites or local areas.

5. The Sub-Committee may use various means to obtain information and to formulate recommendations including but not limited to the following:

   - Utilize collision records to determine the nature and extent of pedestrian safety problems.
   - Seek statistics, information and reports from other governmental jurisdictions and other agencies and organizations respecting pedestrian safety problems and countermeasures.
   - Conduct public opinion surveys and polls.

6. Proposals/requests which will involve a large expenditure of staff time and resources shall only be proceeded with upon approval of the Transport and Environment Committee.

Appendix "B" as referred to in Section 14 of the THIRD Report of the Transport and Environment Committee for 1992

PUBLIC WORKS DEPARTMENT
ORGANIZATION CHART (1992, January)
PROPOSED – STREETS AND SANITATION DIVISION

B

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1992 and respectfully recommends:

1. That the Sir John Morison Gibson plaque be installed within Gore Park, Block C, between Catharine Street and John Street in the turf area located west of the water feature facing a south westerly direction and north of the Royal Connaught Hotel.

2. (a) That the Tariff of Charges for City-owned cemeteries as set out in Appendix "A" appended hereto, representing approximately a seven (7%) percent increase over the 1991 rates, be approved upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemetery Branch and implemented on 1992 January 13.

   (b) That the City Solicitor be authorized and directed to prepare a by-law to amend Cemetery By-law No. 8861 so as to provide for the increase in the Tariff of Charges.

   (c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.

3. That funds be transferred from the Reserve for Parkland Acquisition Account Centre No. CH00201 to the following four accounts listed below for the purpose of acquiring land for neighbourhood parks.

ACCOUNT NO.	NEIGHBOURHOOD	AMOUNT
628650003	Crown Point West	$ 81,682.21
628650007	Corktown	$ 2,333.52
628650008	Stinson	$ 90,834.42
628650010	Keith	$ 14,812.63
	TOTAL	**$189,662.78**

4. (a) That approval be given for facility alterations to the Mountain Skating Centre at 25 Hester Street at an estimated cost of $32,900.00, thereby permitting the Department of Culture and Recreation to operate the concessions at this location.

(b) That the Finance and Administration Committee be requested to recommend the method of financing for these alterations.

5. (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Ministry of the Environment such that the City will undertake the remediation of the Harbourfront Park in accordance with the Provincial Order in Council Four/92 and the Ministry of the Environment will provide a $7.5 million grant for the completion of the remediation.

(b) That the Treasury Department establish an account to which the Ontario Ministry of the Environment funds will be deposited.

(c) That the Mayor and City Clerk execute the contract on behalf of the City.

6. (a) That the City remove, at its expense, the 5 ft. high chain link fence installed pursuant to the subdivision agreement, separating the properties on the west side of Latorre Court and City park lands, subject to the property owners consenting to, by way of formal agreement, erect at their sole expense, a minimum 5 ft. high wooden replacement fence with gates if desired.

(b) That the City Solicitor be directed to prepare and execute the necessary agreements.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1992 February 4

Appendix "A" as referred to in Section 2 of the THIRD Report of the Parks and Recreation Committee for 1992

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

January 13, 1992

(Cemeteries By-Law No. 8861)

GRAVES AND LOTS	Resident and Non-Resident Realty Taxpayers	G.S.T.	TOTAL	Non-Residents	G.S.T.	TOTAL
Adult Single In A Row Grave..... (Graves cannot be selected or purchased in advance but are opened in sequence)	397.00	27.79	424.79	490.00	34.30	524.30
Adult Single Grave..... (Where grave may be selected and purchased in advance of need)	664.00	46.48	710.48	821.00	57.47	878.47
Child Single In A Row Grave						
Case up to 60".....	95.00	6.65	101.65	124.00	8.68	132.68
Case 61" to 72".....	141.00	9.87	150.87	184.00	12.88	196.88
Baby Special Grave..... (Multiple burials - up to one month old)	42.00	2.94	44.94	44.00	3.08	47.08
Urn Garden Grave.....	221.00	15.47	236.47	269.00	18.83	287.83
Columbarium.....	818.00	57.26	875.26			
Veteran's Grave.....	377.00	26.39	403.39			
Two-Grave Lot.....	1,523.00	106.61	1,629.61	1,898.00	132.86	2,030.86
Two-Grave Lot - Eastlawn Section 15, 16 (6' burials only)	1,243.00	87.01	1,330.01	1,552.00	108.64	1,660.64
Three-Grave Lot - Woodland.....	2,274.00	159.18	2,433.18	2,845.00	199.15	3,044.15
Four-Grave Lot - Woodland Section 21, 25 - Eastlawn Section 19..	2,981.00	208.67	3,189.67	3,790.00	265.30	4,055.30
Four-Grave Lot - Woodland Section 15..	5,507.00	385.49	5,892.49	6,879.00	481.53	7,360.53
Four-Grave Lot - Trinity.....	2,801.00	196.07	2,997.07	3,555.00	248.85	3,803.85
Mansion of Memories - Mausoleum Crypt..	1,061.00	74.27	1,135.27	1,166.00	81.62	1,247.62

NOTE: 35% of all Grave and Lot Sales goes into Perpetual Care

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

January 13, 1992

	Resident and Non-Resident Realty Taxpayers			Non-Residents		
OPENING AND CLOSING		G.S.T.	TOTAL		G.S.T.	TOTAL
6 ft. Adult	413.00	28.91	441.91	480.00	33.60	513.60
8 ft. Adult	560.00	39.20	599.20	624.00	43.68	667.68
6 ft. Child - case up to 42"	246.00	17.22	263.22	366.00	25.62	391.62
- case 43" - 60"	281.00	19.67	300.67	402.00	28.14	430.14
- case 61" - 72"	312.00	21.84	333.84	455.00	31.85	486.85
8 ft. Child - case up to 60"	312.00	21.84	333.84	455.00	31.85	486.85
- case 61" - 72"	348.00	24.36	372.36	505.00	35.35	540.35
Baby Special - Multiple burials - Up to one month old	47.00	3.29	50.29	76.00	5.32	81.32
Cremation	137.00	9.59	146.59	196.00	13.72	209.72
Columbarium	80.00	5.60	85.60			
Mansion of Memories - Stoney Creek- New Crypts only	339.00	23.73	362.73	399.00	27.93	426.93
LOWERING (Opening Charges not included)						
Adult						
From 6 ft. to 8 ft. - Shell	282.00	19.74	301.74	428.00	29.96	457.96
From 6 ft. to 8 ft. - Steel Vault	551.00	38.57	589.57	824.00	57.68	881.68
From 6 ft. to 8 ft. - Concrete Vault	657.00	45.99	702.99	988.00	69.16	1,057.16
Child						
From 6 ft. to 8 ft. - 5 to 10 years.	196.00	13.72	209.72	291.00	20.37	311.37
From 6 ft. to 8 ft. - under 5 years.	94.00	6.58	100.58	138.00	9.66	147.66
REMOVALS						
Adult - Shell	1,488.00	104.16	1,592.16	2,290.00	160.30	2,450.30
- Concrete Vault or Crypt	1,214.00	84.98	1,298.98	1,817.00	127.19	1,944.19
Child - Shell	353.00	24.71	377.71	550.00	38.50	588.50
- Concrete Vault or Crypt	378.00	26.46	404.46	560.00	39.20	599.20
Cremation	137.00	9.59	146.59	196.00	13.72	209.72

ADDITIONAL SERVICES			G.S.T.	TOTAL
CRYPTS	Child	272.00	19.04	291.04
	Youth	285.00	19.95	304.95
	Standard	297.00	20.79	317.79
	Intermediate	305.00	21.35	326.35
	Oversize	324.00	22.68	346.68
PLANTING	Preparing ground and planting flowers -per grave	40.00	2.80	42.80
	Preparing ground and planting one shrub	51.00	3.57	54.57
	(Flowers and shrubs are to be provided by the family at their expense)			
MISC.	Tent in cemetery	126.00	8.82	134.82
	Rental of tent outside cemetery	172.00	12.04	184.04
	Rental of dressing to use outside cemetery	137.00	9.59	146.59
	Rental of lowering device outside cemetery	137.00	9.59	146.59
	Transfer Fee $2.00 + Research $44.00	26.00	1.82	27.82
	Inscription Fee on Columbarium Niche	240.00	16.80	256.80

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

January 13, 1992

FOUNDATIONS AND MARKERS	Resident and Non-Resident Realty Taxpayers	G.S.T.	TOTAL	Non-Residents	G.S.T.	TOTAL
Foundation - pouring per square inch of surface area (to be poured 6 ft. deep)	.94	+7%		1.41	+7%	
Marker Setting Fee (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	114.00	7.98	121.98	177.00	12.39	189.39
Social Service Marker	114.00	7.98	121.98	154.00	10.78	164.78
Bronze Vase	114.00	7.98	121.98	177.00	12.39	189.39
D.V.A. Upright	96.00	6.72	102.72			
D.V.A. Flat	96.00	6.72	102.72			

Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Singles Graves in a Row

A flat granite marker, maximum length 24" and width 18" is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total overall height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1992 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 106 for the establishment of a special policy area, to permit a parking area within the "Residential" designation for lands in the area north of Eastgate Court and west of Centennial Parkway North, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton Wentworth.

   B. That approval be given to Zoning Application 91-62, Truwan Holdings Limited, owner, for a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "G-3" (Public Parking Lots) District, to permit a parking lot to be used in conjunction with commercial use located at 2444 - 2450 Barton Street East and 211 Centennial Parkway North for lands in the area north of Eastgate Court and west of Centennial Parkway North, as shown on the attached map marked as Appendix "A", on the following basis:

      (a) That the subject lands be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "G-3" (Public Parking Lots) District;

      (b) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

         (i) that the parking lot shall only be accessory to the use of land located at 2444 - 2450 Barton Street East and 211 Centennial Parkway North;

H

(ii) That a planting strip of not less than 1.5m in width shall be provided and maintained along the westerly property line;

(iii) That a visual barrier not less than 1.2m in height and not more than 2.0m in height shall be provided and maintained along the westerly property line.

(c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1260, and that the subject lands on Zoning District Map
E-103 be notated S-1260;

(d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-103 for presentation to City Council;

(e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 106 by the Regional Municipality of Hamilton Wentworth;

(f) That the Kentley Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Commercial".

C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant applies for and receives Site Plan Approval, and registers the site plan on title.

2. A. That approval be given to Zoning Application 91-64, Canadian Japanese Cultural Centre at Onteora, prospective owner, for a modification to the "M-14" (Prestige Industrial) District regulations to permit a cultural centre for property located at 95 Unsworth Drive, as shown on the attached map marked as "Appendix B", on the following basis:

(a) That the "M-14" (Prestige Industrial) District regulations as contained in Section 17F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 17F(1)(a) of By-law No. 6593, the following Public use shall be permitted:

S.I.C. Identification Number	Permitted Use
9861	Civic and Fraternal Organization

(ii) That notwithstanding Clause 3(c) of Table 1 of Section 18A of By-law No. 6593, a minimum of 30 parking spaces shall be provided and maintained on site;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1261, and that the subject lands on Zoning District Map E-59D be notated S-1261;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of an amended Site Plan for the parking area.

3. That Zoning Application 91-80, V. Baotic, Lessee, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations to permit a billiard hall in the basement of the existing commercial plaza located at 314 to 318 Queenston Road, as shown on the attached map marked as Appendix "C" be denied for the following reasons:

(a) It conflicts with the intent of the Official Plan and represents an over-intensification of use, in that adequate parking cannot be provided. Approval of the application could lead to nuisances associated with on-street parking in the surrounding residential area.

(b) It conflicts with the intent of By-law 78-184 which specifically excludes, among other uses, billiard rooms, penny arcades, public halls, etc. from the "H" District due to nuisance factors and spill-over effects associated with such uses (e.g. noise, parking, headlight glare, etc.) on adjoining residential areas.

(c) It is an incompatible land use with the adjoining single-family dwellings to the south. Further, the subject lands are in close proximity to three schools with the closest being one block to the south.

(d) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law.

H

(e) It conflicts with Council adopted policy, in that a similar application (ZA-90-10) to permit a public hall (banquet hall), penny arcade and a billiard hall on the subject lands, as well as another similar application (ZA-91-11) to permit a billiard room on lands located at 324 Queenston Road were denied.

4. That approval be given to Site Plan Control Application DA-91-71 to amend DA-85-11 by Dundurn Inn Ltd., owners, of lands known as 149 Dundurn Street North to include a pylon sign and site modifications subject to the following:

(a) modification to the plan in relation to notes, and dimensions as marked in red on the plan; and

(b) approval by the Committee of Adjustment to permit a manoeuvring space aisle width of 5.5 m minimum, along the west wall of the building, instead of the required 6.0 m minimum.

5. That the Building Commissioner be authorized to issue a demolition permit for 65 Oak Avenue.

6. That the Building Commissioner be authorized to issue a demolition permit for 216 Welbourne Drive.

7. That the Building Commissioner be authorized to issue a demolition permit for 845 Rymal Road East.

8. That the Building Commissioner be authorized to issue a demolition permit for 837 Rymal Road East.

9. (a) That the 1992 operating Budget of the Barton General B.I.A. be approved in the amount of five thousand dollars ($5,000.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1988 to levy the 1992 Budget as referenced above; and

(c) That the Schedule of Payments for 1992 be as follows:

March $2,500.
August $2,500.

NOTE: Levy Arrears will be deducted from the last payment for 1992.

10. (a) That Schedule "A" of By-law Number 87-308, appointing the Ward Three Aldermen to the Barton General B.I.A. Board of Management, be repealed and the current Alderman'snames be substituted: Alderman Drury and Alderman Morelli; and,

(b) That Schedule "B" of By-Law No. 87-308, as amended, appointing the Barton General B.I.A. Board of Management, be repealed and the following names substituted:

Fabio Chiappetta	Your Bakery
Marko Tollis	Riveria Banquet Centre
Nazir Hanhan	CanAm Mortgage
Paul Hamburgh	Creations Pastry Shop
Keith Cody	Cody's Wallcoverings
Rob Brooker	Gas Tank King
Joe Zidanic	Century Restoration
John Hilger	Ways to Wisdom
Peter Chant	Balloons and More
Ann Coward	Angelo's Plance
Roger Dimeo	Dimeo Real Estate
Ron Stewart	Bank of Montreal
Sonya Hanhan	Sonya's Travel
John Stassis	Dr. Carburetor

(c) That the City Solicitor be authorized and directed to amend Schedule "B" of By-Law No. 87-308 pursuant to (a) above.

11. (a) That the 1992 operating Budget of the Main Street West Esplanade B.I.A. be approved in the amount of four thousand dollars ($4,000.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217 of the Municipal Act, R.S.O. 1991 to levy the 1992 Budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1992 be as follows:

March	$2,000.
August	$2,000.

NOTE: Levy Arrears will be deducted from the last payment for 1992.

12. That the following names be appointed to the Main Street West Esplanade B.I.A Board of Management:

Maria Farrugia	Calla Decor and Design
Joyce Morrison	The Royal Bank of Canada
Alice Perniac	Lorne Haverty Ltd.
Morley Barnard	Barnard Speziale Design Associates Inc.
Alderman T. Cooke	Ward One
Alderman M. Kiss	Ward One

13. (a) That the 1992 operating budget of the Westdale Village B.I.A. (attached as Schedule "A" be approved in the amount of twenty-five thousand dollars ($25,000.); and,

(b) That the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217 of the Municipal Act, R.S.O. 1991, to levy the 1992 Budget as reference (a) above; and

(c) That the Schedule of Payments for 1992 be as follows:

March	$12,500.
August	$12,500.

NOTE: Levy Arrears will be deducted from the last payment for 1992.

14. (a) That Schedule "B" of By-law 86-098, appointing Westdale Village B.I.A. Board of Management be repealed and the following names be substituted:

Albert Snow	Albert Snow Design
Cathy Young	Westdale Food Shoppe
Pat Hubbard	Copies Plus
Janet McDonald	C.I.B.C.
Reg Lahie	Jack Carruth Shoes
Cynthia Dika	The Colour Studio
John Sonke	Westdale Hardware
John Mouskas	New Village Restaurant
Adam Yoo	Grandma Lees
Gene Ditner	Cottage Florist

(b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-Law No. 86-098 pursuant to (a) above.

15. That leave be granted to introduce the following Bills:

(a) Bill C-20 A By-law to designate portions of the north end east and west neighbourhoods as a community improvement project area

Bill C-21 A By-law to adopt Official Plan Amendment No. 105 respecting land located at 121 Augusta Street, within the Corktown Neighbourhood

Bill C-22 A By-law to amend By-law No. 86-99 as amended by By-law No. 88-144 respecting members of the Board of Management of the Ottawa Street North Business Improvement Area

Bill C-23 A By-law to amend By-law No. 86-212 as amended by By-law No. 87-229 respecting members of the Board of managment of The International Village Business Improvement Area generally covering both sides of King Street East between Mary Street and Wellington Street

Bill C-24 A By-law to amend By-law No. 86-73 as amended by By-law No. 87-148 respecting members of the Board of Management of the Business Improvement Area generally bounded by King William Street, Mary Street, Main Street East and James Street North

Bill C-25 A By-law to amend Zoning By-law No. 6593 respecting land located at 623 Upper James Street

Bill C-26 A By-law to amend Zoning By-law No. 6593 respecting land located at 100 Confederation Drive

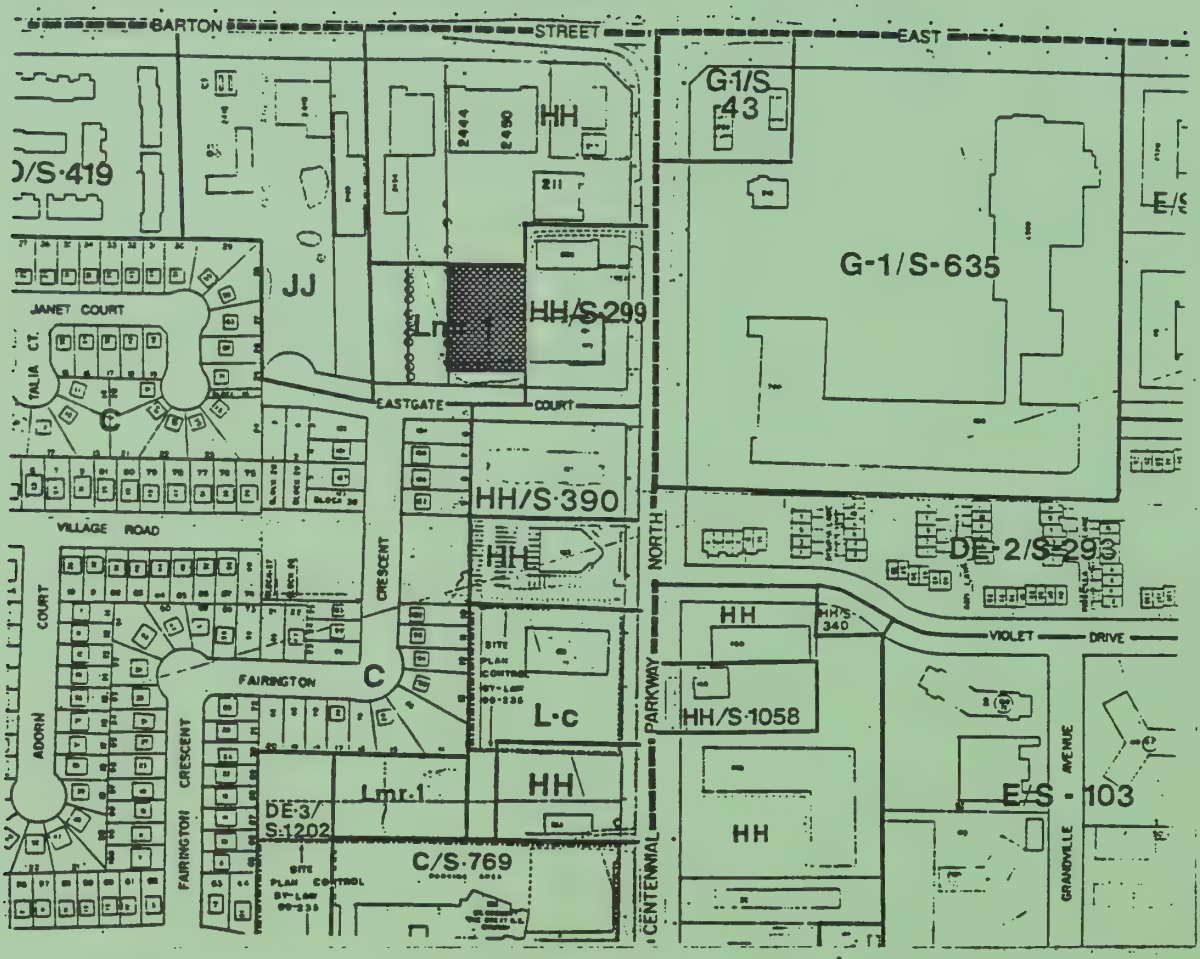
Bill C-27 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Cootes Drive north of Main Street West

Bill C-28 A By-law to establish site plan control respecting lands located on the west side of Cootes Drive north of Main Street West

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 February 11

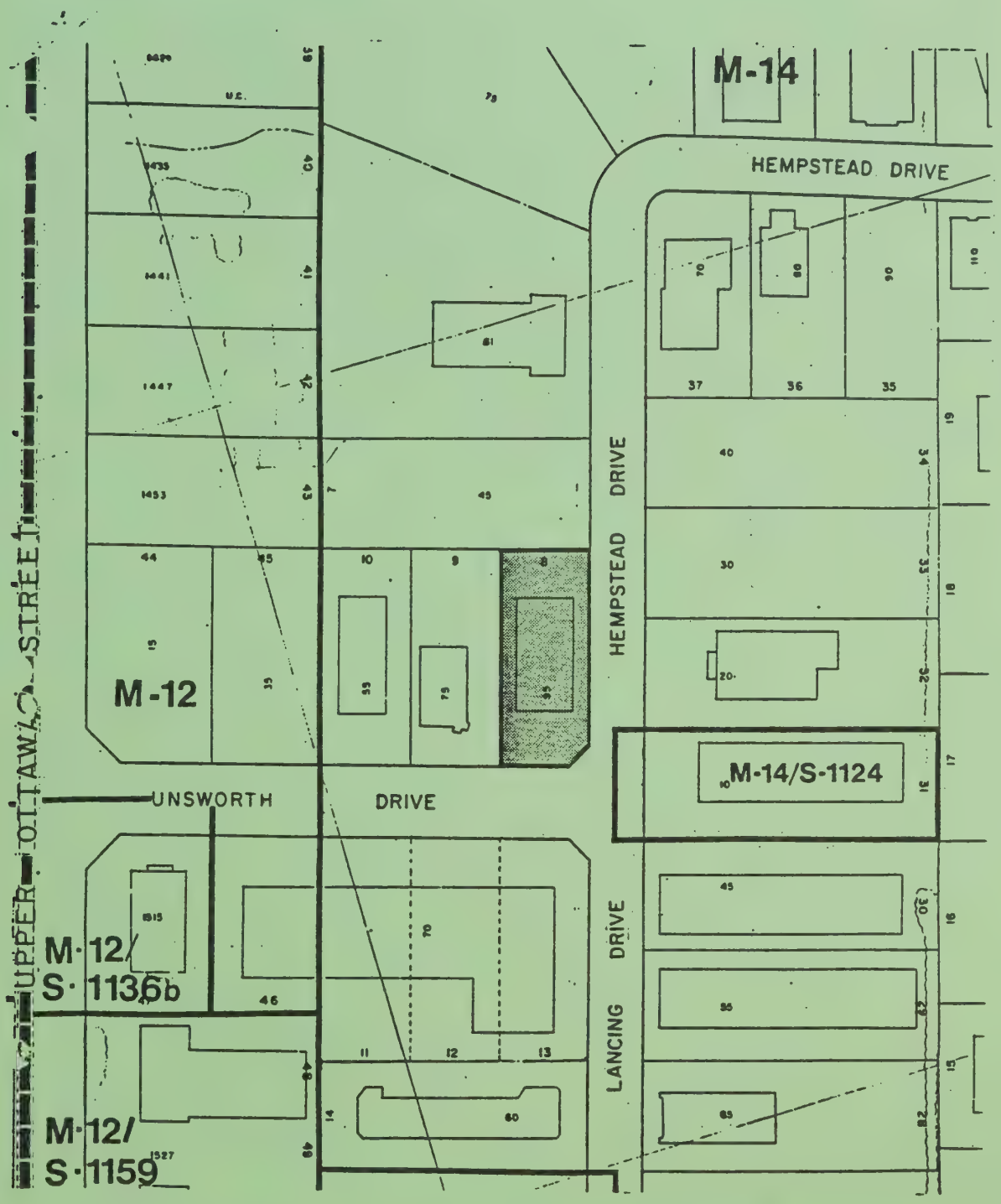


ZA91-62

Legend

Site of the Application

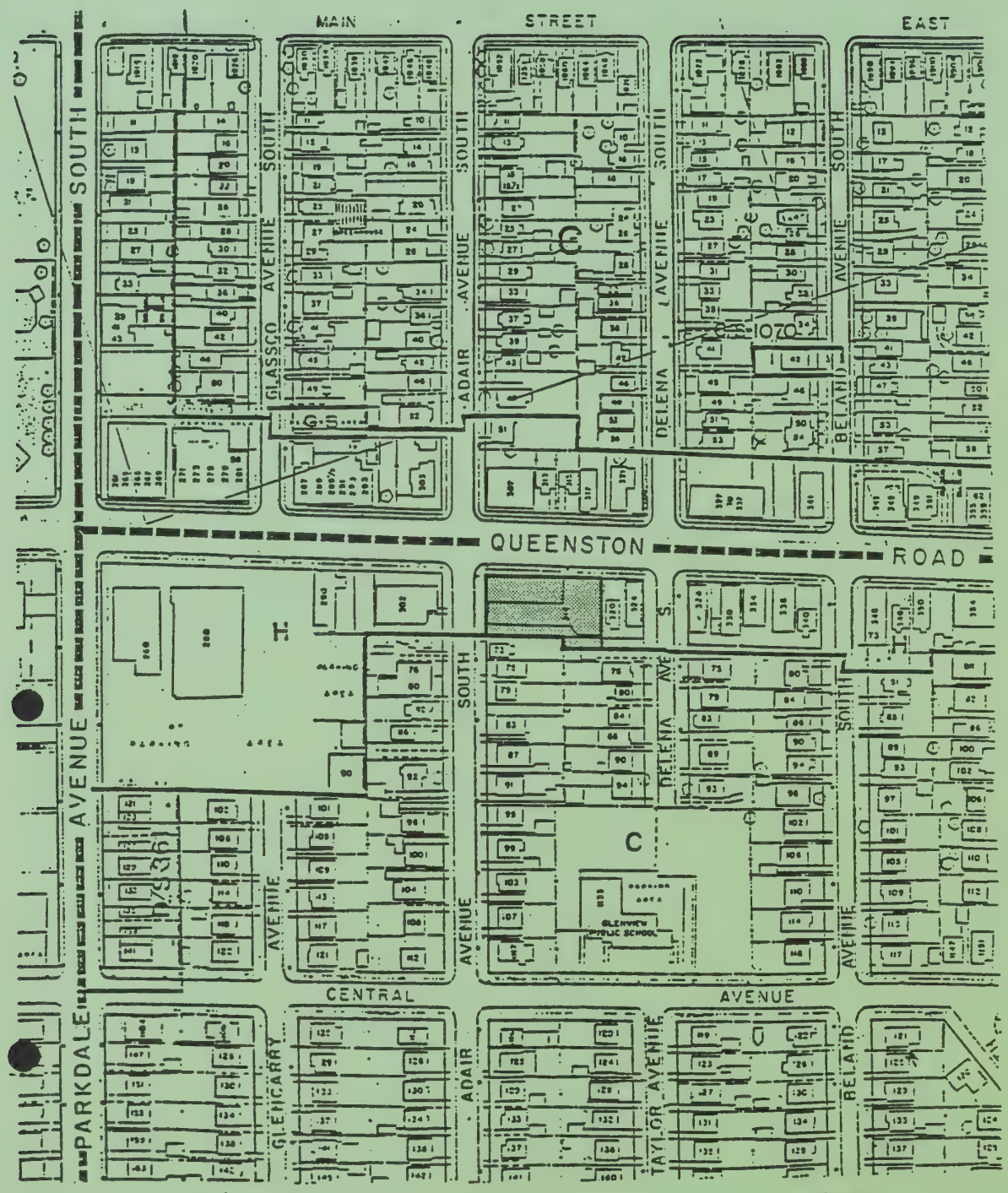
Appendix "A" as referred to in Section 1 of the THIRD Report of the Planning and Development Committee



Legend

Site of the Application

Appendix "B" as referred to in Section 2 of the THIRD Report of the Planning and Development Committee



Legend

Site of the Application

ZA 91-80

Appendix "C" as referred to in Section 3 of the THIRD Report of the Planning and Development Committee

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1992 and respectfully recommends:

1. That a purchase order be issued to King Equipment, Woodstock, in the amount of $132,486.04, for the replacement of one (1) 26,000 lb. chassis with aerial device, Unit #9001, for Fleet Services, being the lowest acceptable of nine (9) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

2.(a) That permission be granted to the Estonian Society of Hamilton to fly the Estonian flag at City Hall from 1992 February 19 - 25 in honour of the 74th Anniversary of the Independence of Estonia.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

3. That permission be granted to the Congress of Black Women of Canada in association with the Ontario Ministry of Citizenship, Policy Services Branch, to use City Hall meeting rooms 264, 219 and 233 on Saturday, 1992 March 07 from 8:00 a.m. - 5:00 p.m. for workshops entitled "Wife Assault Prevention Training Programmes."

4.(a) That approval be given to the action taken by the Finance and Administration Committee in granting permission to the Black History Committee to use the east and west foyer of the City Hall second floor from 1992 February 1 - 14 for a Black History Display.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

5.(a) That permission be granted to the Hamilton Lithuanian Canadian Community to fly the Lithuanian flag at City Hall on Sunday, 1992 February 16 in commemoration of the anniversary of the original Declaration of Independence of 1918 February 16 in Lithuania.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

6. That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the Council Chambers on Saturday and Sunday, 1992 April 11 and 12 to host the Ontario Aids Network Quarterly Conference.

7. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of "Council on Suicide Prevention (Hamilton & District) Inc."

8.(a) That the Hamilton Fire Department-Fire Prevention Service Fee Schedule, attached hereto as Appendix "A", be approved.

(b) That this fee schedule be increased annually for the rate of inflation.

9. That the outstanding business taxes in the amount of $196,109.80, as outlined in a report of the Acting Treasurer dated 1992 January 21, copies of which have been previously distributed to all members of City Council, be written-off in accordance with Section 495 of The Municipal Act, R.S.O., 1980, and charged to Account 53401-24106, Tax Write-Offs.

10. That, as referred to in Section 12 of the Third Report of the Transport and Environment Committee for 1992, the additional amount of $2,536,000. for 1992 Road and Sidewalk Reconstruction Programme to a total amount of $5,500,000. which includes 1992 Streetlighting Construction Programme of $203,000. out of the proposed $8,120,000. budget, be financed from the 1992 Capital Levy having regard to the expected MTO subsidy in the amount of $1,760,000.

11. That, as referred to in Section 1 of the Third Report of the Transport and Environment Committee for 1992:

(a) The revised City's share of "Gagliano Gardens Addition" subdivision in the amount of $134,250. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands;

(b) The City's share of the "The Gardens of Rymal - Phase 2" subdivision in the amount of $410,110.80 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

12. That, as referred to in Section 4 of the Third Report of the Parks and Recreation Committee for 1992, the estimated cost of $32,900. for facility alterations to the Mountain Skating Centre to permit the operation of concessions at this location, be charged to the Mountain Arena Twinning Project, Centre No. CF 709041011.

13. That, as referred to in Section 3 of the Third Report of the Parks and Recreation Committee for 1992, the Neighbourhood parks acquisition cost in the amount of $189,662.78 be financed from the Reserve for Park Lands Account Centre CH 00201 as follows:

Crown Point West	$81,682.21
Corktown	2,333.52
Stinson	90,834.42
Keith	14,812.63
	$189,662.78

14.(a) That the Community Renewal Section of the Public Works Department be authorized to make application to the Federal Government, Canadian Job Strategies Department, for funds under the Job Development Grant and Section 25 Programme totalling approximately one hundred and fifty-five thousand dollars ($155,000.) to hire temporary full-time staff for placement in the offices of all the Business Improvement Areas (B.I.A.'s) to foster a partnership amongst the B.I.A.'s and the City of Hamilton, also to assist the B.I.A.s' Boards of Management in delivery of services;

(b) That the Mayor and City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the Job Development Grant Section 25 Programme;

(c) That the Acting Treasurer be authorized to execute the financial administration of the Job Development Grant Section 25 Programme; and,

(d) That the City Solicitor be authorized to execute the agreement referred to in (b) above.

15.(a) That authorization be given to the Director of Property to undertake physical improvements to the Aldermen's Offices, which include painting and decorating, and the purchase of the equipment and furnishing requested by Aldermen (workstations, chairs, filing cabinets, shelving) at an estimated cost of $8,500.

(b) That the cost of the improvements to Aldermen's Offices be charged to Account No. CF 319041002 - Accommodation Requirements - City Hall.

16.(a) That the Agreement with Carmen's Catering Ltd. for the provision of Cafeteria/Food Services on the 8th floor level of Hamilton City Hall commence on their first day of opening of business, which at this time is projected to be Monday, 1992 April 20, rather than the original date of 1992 April 06, as recited in Section 39 of the 2nd Report of the Finance and Administration Committee adopted by Council 1992 January 14.

(b) That the rent to be paid by Carmen's Catering Ltd. to the City while they are temporarily operating a reduced level food service from the basement level of City Hall, be in a sum which is represented by 10% of the gross sales generating during the temporary operation.

17.(a) In that infill development creating 10 or less residential dwelling units, through conversion or construction on an existing previously developed lot, imposes no additional demand for services, no development charge shall be applied under the City of Hamilton Development Charges By-law 90-74.

(b) That the above policy be forwarded to the Region of Hamilton-Wentworth for consideration in order to harmonize the application of the City and Regional Development Charges By-law.

(c) That, in light of the present economic difficulties, the fees applicable in the Development Charges By-law 90-74 be referred to a staff committee consisting of representatives of the following Departments:

Law Department	Planning & Development Department
City Treasury Department	Fire Department
Public Works Department	Building Department
Traffic Department	Acting Chief Administration Officer
Culture & Recreation Department	

and chaired by the Building Commissioner to be reviewed and report back to the Finance and Administration Committee.

18.(a) That the following 1991 Grant base funds be transferred to the Special Events component of the Department of Culture and Recreation budget for implementation in 1992 on the basis that recreational staff have a direct operational involvement in the groups activities:

Around the Bay Road Race	$ 5,000.
Folk Arts Heritage Festival	25,000.
Santa Claus Parade	18,400.
Catholic Youth Organization	12,810.
First Place (Seniors)	6,500
	$67,710.

(b) That the Grants total budget be reduced by $67,710. to $532,290. for 1992.

19. That Mr. Robert Sugden's contract as Director of Culture and Recreation be renewed for a five-year period commencing 1992 May 10, under the terms and conditions as set out in the employment contract.

20.(a) That the City of Hamilton accept the Plaintiff's Offer to Settle dated 1992 January 08 in Ontario Court (General Division) Action No. 10170/88 (damages with interest total $14,749.50, exclusive of costs).

(b) That the Law Department be instructed to exercise the right provided in the Offer to Settle to have the legal costs assessed.

(c) That City of Hamilton offer to resolve the issue of legal costs by fixing the Plaintiff's costs in the amount of $2,400. for legal fees and $844.77 in disbursements for a total of $3,244.67.

21.(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 11030/88 by the payment to the Plaintiffs Antonia and Frank Pelaio of the sum of $3,000. inclusive of all damages, interest and costs.

(b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department.

(c) That Ontario Court (General Division) Action No. 11030/88 and any and all cross-claims shall be dismissed without costs.

22. That, in the event of a confirmation of the assessment findings of the Lax Brothers' legal costs on 1992 January 21, Counsel, Ian Binnie, McCarthy-Tetrault, be instructed to file a Notice of Appeal pursuant to s.103(4)b of the Courts of Justice Act, 1984.

23. That Mayor Robert Morrow be formally empowered to meet with The Hamilton Harbour Commissioners on behalf of City Council and make a request for The Hamilton Harbour Commissioners to release water lots 1, 2 and 3 in the West Harbour to the City of Hamilton for recreation purposes.

24. For the information of the Members of City Council, the Finance and Administration Committee, on the recommendation of the Taxi Advisory Committee, has approved that the membership composition of the Taxi Advisory Committee be amended by deleting the following three categories:

Taxi Owners Organization representative (1)
Cab Driver/Lessee (1)
Taxi Owner representative (1)

and replacing them with:

Taxi Industry Professionals (3) (who equitably represent the Taxi Industry in Hamilton, and may be drivers, lessees, owners, or representatives of the taxi organization).

25. That leave be granted to introduce the following Bills:

(a) Bill H-11 A By-law to Amend Various Licensing By-laws Respecting Fines.

(b) Bill H-12 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1992 January 30

Appendix "A" referred to in Section 8(a) of the FIFTH Report of the Finance and Administration Committee for 1992.

HAMILTON FIRE DEPARTMENT

FIRE PREVENTION SERVICE FEE SCHEDULE

		PRESENT	PROPOSED	INCREASE
1) Copies of fire response reports		$15.00	$16.00	6.67%
	G.S.T.	1.05	1.12	
		$16.05	$17.12	
2) Written confirmation as to whether or not there are any outstanding orders against property (G.S.T. Not applicable)		$25.00	$26.00	4.00%
3) Inspection of property in relation to a proposed purchase or for licence purposes other than municipal licences				
a) Private home day care facilities		$30.00	$31.50	5.00%
	G.S.T.	2.10	2.21	
		$32.10	$33.71	
b) 1 and 2 family dwelling		$30.00	$31.50	5.00%
	G.S.T.	2.10	2.21	
		$32.10	$33.71	
c) other occupancies to and including four stories above grade including L.L.B.O. licence requests		$60.00	$63.00	5.00%
	G.S.T.	4.20	4.41	
		$64.20	$67.41	
d) other occupancies greater than four stories and specialized occupancies ie. shopping malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved		$100.00 – $300.00	$100.00 – $500.00	66.67%
	G.S.T.	7.00 21.00	7.00 35.00	Top End
		$107.00 – $321.00	$107.00 – $535.00	Only

All of the above fees stated in 3 c) and d) DO NOT include the testing of life support systems which are the responsibility of the owner in accordance with the Ontario Fire Code.

BILLS

CITY COUNCIL

1992 FEBRUARY 11

Bill No. *A-19*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on the south-west corner of Stone Church Road and Upper Wentworth Street, as described in Schedule "A";

2. The special assessment to pay a portion of the cost of the works by the abutting owners;

3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 17 of the 7th Report of the Transport & Environment Committee on April 30, 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 6 of the 9th Report of the Finance & Administration Committee on April 30, 1991;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 27th day of November, 1991, issue Order No. E911260 approving the application of The Corporation of the City of Hamilton for:

(a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of $20,990.00 and,

(b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of $19,230.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed $20,990.00.

2. The share or portion of the estimated cost of the works in the amount of $19,230.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

   (a) to the extent sufficient to provide an amount not exceeding $19,230.00;

   (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1992.

City Clerk Mayor

(1991) 8 R.T.E.C. 17, April 30
(1991) 9 R.F.A.C. 6, April 30

SCHEDULE "A"

The construction of concrete sidewalks on the south-west corner of Stone Church Road and Upper Wentworth Street at the costs not exceeding those set out below:

City's Share	$ 1,760.00
Owners' Share	19,230.00
TOTAL ESTIMATED COST	$ 20,990.00
Estimated Cost per metre frontage	$ 86.00
Fifteen (15) annual instalments	

Bill No. A-20

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO STOP-UP, CLOSE AND RETAIN PORTIONS OF KELLY STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302 to stop-up, close and retain any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting item 7 of the 14th Report of the Transport and Environment Committee on November 8, 1991 authorized the City to stop-up, close and retain portions of Kelly Street, being more particularly described as Parts 7 and 8 on Plan 62R-12040.

AND WHEREAS the Corporation of the City of Hamilton is the owner of the above described lands.

AND WHEREAS Notice of the City's intention to pass this By-law has been published as required by Section 301 of The Municipal Act for the four consecutive weeks; namely, January 9, 16, 23 and 30, 1992.

AND WHEREAS the Council of the Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be hear, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described as,

   Parts of Kelly Street, Registered Plan No. 255, designated as Parts 7 and 8 on Plan 62R-12040

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   is hereby stopped, closed and retained.

2. This By-law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

Bill No. A-21

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO STOP-UP, CLOSE AND RETAIN A PORTION OF ELGIN STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302 to stop-up, close and retain any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting item of the Report of the Transport and Environment Committee on authorized the City to stop-up, close and retain portions of Elgin Street, being more particularly described as Part 5 on Plan 62R-12040.

AND WHEREAS the Corporation of the City of Hamilton is the owner of the above described lands.

AND WHEREAS Notice of the City's intention to pass this By-law has been published as required by Section 301 of The Municipal Act for the four consecutive weeks; namely, January 9, 16, 23 and 30, 1991.

AND WHEREAS the Council of the Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be hear, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described as,

   Part of Elgin Street, Registered Plan No. 255, designated as Part 5, Plan 62R-12040.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   are hereby stopped, closed and retained.

2. This By-law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO CLOSE AND TO AUTHORIZE THE SALE OF GREENHILL AVENUE PARTS 5 AND 6, PLAN 62R-6273 EXCEPTING PART 3, PLAN 62R-7888

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 300 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, to stop-up, close and sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 29 of the 18th Report of the Transport and Environment Committee on October 29, 1985 authorized the City to stop-up, close and sell portions of Greenhill Avenue, being more particularly described as Parts 5 and 6 on Plan 62R-6273.

AND WHEREAS The Council of the Corporation of the City of Hamilton on February 25, 1986 enacted By-Law 86-79 to close a portion of Greenhill Avenue.

AND WHEREAS The Corporation of the City of Hamilton is the Owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-law has been published on January 25, 1986, February 1,8,15, 1986 as required by Section 300 of The Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of Greenhill Avenue described as:

   Part of Greenhill Avenue, being part of Lot 34, Concession 4, in the geographic Township of Saltfleet, designated as Parts 5 and 6 on Plan 62R-6273 excepting Part 3 on Plan 62R-7888.
   City of Hamilton, Regional Municipality of Hamilton-Wentworth

   are hereby stopped up and closed;

2. That the soil and freehold in those portions of the street hereby stopped-up and closed, be retained by the Corporation of the City of Hamilton.

3. This by-law comes into force and effect on the date of registration of this by-law in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED this day of A.D. 1992.

J. J. Schatz
City Clerk

R. Morrow
Mayor

BILL NO. A - 23

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Milton	West	commencing 198 feet north of Barton to Myler".

2. **Schedule 26 (No Parking Areas)** is hereby amended:-

a) by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Milton	West	Barton to Myler
Glen Vista	East	Greenhill to 328 feet south
Bond	West	King to 130 feet south".

and by deleting therefrom the following item, namely:-

"Glen Vista	West	Bookstream to Greenhill".

b) by deleting from **Section C (No Parking 7:00 a.m. to 6:00 p.m., Monday to Saturday)** the following item, namely:-

"Bond	West	King to 104 ft. south".

3. **Schedule 26A (No Parking Areas)** is hereby amended by adding to **Section P (No Parking 6:00 a.m. to 6:00 p.m., Monday to Friday)** the following item, namely:-

"Carling	North	commencing at a point 153 feet east of Paradise to a point 113 feet easterly therefrom".

4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Milton Avenue Barton Street East to Myler Street	East	West
Bond King to Marion	East	West".

and by adding thereto the following items, namely:-

"Bond Marion to 85 feet south of King	East	
Bond Marion to 130 feet south of King		West".

5. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following item, namely:-

"Mars	South	commencing at a point 163 feet east of Emerald to a point 20 feet easterly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BILL NO. A - 24

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Brucedale	Eastbound and Westbound	Prince George
Brucedale	Eastbound and Westbound	East 8th
London	Northbound	Edinburgh."

and be deleting therefrom the following item, namely:-

"East 8th	Northbound and Southbound	Brucedale."

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

Bill No. C-20

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Designate:

PORTIONS OF THE NORTH END EAST AND WEST NEIGHBOURHOODS AS A COMMUNITY IMPROVEMENT PROJECT AREA

WHEREAS subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13 provides as follows:

> (2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to designate portions of the North End East and West Neighbourhoods as a community improvement project area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area shown on Schedule "A" hereto annexed and forming part of this by-law, comprised in the North End East and West Neighbourhoods, is hereby designated as a community improvement project area.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992) 1 R.P.D.C. 31, January 14

SCHEDULE "A"

To By-law No. 92-



NORTH END EAST AND WEST COMMUNITY IMPROVEMENT PROJECT AREA

Bill No. C-21

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Adopt:

Official Plan Amendment No. 105

Respecting:

LAND LOCATED AT MUNICIPAL NO. 121 AUGUSTA STREET, WITHIN THE CORKTOWN NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 105 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of **A.D. 1992.**

City Clerk **Mayor**

(1992) 2 R.P.D.C. 11, January 28
Jack Beume Real Estate Ltd. -- Prospective Owner
ZA-91-66

Amendment No. 105

to the

City of Hamilton Official Plan

The following text, together with Schedule B-1, attached hereto, constitute Official Plan Amendment No. 105.

Purpose:

The purpose of this Amendment is to establish a "Special Policy Area" within the "Residential" designation to permit general office uses within the existing structure.

Location:

The lands affected by this Amendment are for the property known municipally as No. 121 Augusta Street, within the Corktown Neighbourhood.

Basis:

The basis for permitting the proposal, general office uses within the existing structure, is as follows:

1) it is an adaptive re-use of an existing older industrial building which will improve its appearance within the neighbourhood;

2) the proposed use would be more compatible with the existing residential neighbourhood than the established non-conforming storage warehouse; and,

3) the change of use within the existing structure will not prejudice future development of the lands in accordance with the approved Corktown Neighbourhood Plan.

Actual Changes:

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.55:

   "In addition to the permitted uses set out in Subsection A.2.1 - Residential Uses, for those lands shown on Schedule "B-1" as SPECIAL POLICY AREA 60, and located at 121 Augusta Street, general office uses only within the existing building will be permitted."

2. The following be added to Schedule "B-1" - Other Special Policy Areas:

- Special Policy Area 60; and;
- "Area 60 refer to Policy A.2.9.3.55" in the legend, as shown on the attached Schedule "B-1" of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 92- , passed on the day of , 1992.

The Corporation of the

City of Hamilton

City Clerk

Mayor

KE/

schedule B-1
amendment no. 105

to the
official plan
for the
City of Hamilton

Legend

Special Policy Area 60
Refer to Policy A.2.9.3.55

date	drawn by	reference file no.
January, 1992	H.V.	P-5-3-2-105



other special policy areas

legend

- 12 — refer to policy A.2.9.3.10
- 13 — refer to policy A.2.9.3.11
- 14 — refer to policy A.2 9.3.12
- 15 — refer to policy A.2.9.3.13
- 25 — refer to policy A.2.9.3.20
- 28 — refer to policy A.2.9.3.23
- 39 — refer to policy A.2.9.3.34

schedule B-1

to the official plan
for
the city of hamilton

- J[illegible] 30, 1990

Bill No. C-22

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 86-99
As Amended by By-law No. 88-144

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street North Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 88-144, passed on the 31st day of May 1988 amended Schedule "B" of By-law No. 86-99 to appoint new members to the Board of Management;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 21 of the 1st Report of the Planning and Development Committee at its meeting held on the 14th day of January 1992, directed that the composition of the Board of Management be further amended as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management and to provide for certain editorial amendments relating thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sections 2(a) and 2(b) of By-law No. 86-99 are amended by adding thereto, in the fifth and seventh lines respectively after the words "hereto annexed", the following phrase:

"and forming part of this by-law."

2. Schedule "A" referred to in clause 2(a) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

1. Alderman D. Drury
2. Alderman B. Morelli
3. Alderman G. Copps
4. Alderman D. Wilson

3. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

John Gut	Textile Centre
Gord Culshaw	Culshaw's Cakes/A & B Catering
Lynne Zarubiak	Deblynn's Hair Salon
Joan Stafford	Joan's Trims & Laces
John Driscoll	Price Busters Discount
Manny Freitas	Wood's Redi-to-Finish Furniture
Clive Eynon	D & E Good Home Bakery
Greta Munt	Greta's Flair

4. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1992.

City Clerk Mayor

Bill No. C-23

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 86-212
As Amended by By-law No. 87-229

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN MARY STREET AND WELLINGTON STREET

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-229, passed on the 28th day of July 1987, amended Schedule "B" of By-law No. 86-212 to appoint new members to the Board of Management;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 20 of the 1st Report of the Planning and Development Committee on the 14th day of January, 1992, directed that the composition of the Board of Management be further amended as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management and to provide for certain editorial amendments relating thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2(a) of By-law No. 86-212 is amended by adding thereto in the fifth line after the words "hereto annexed", the following phrase:

"and forming part of this by-law."

2. Section 2(b) of By-law No. 86-212 is amended by adding thereto in the fifth line after the words "so assessed", the following phrase:

"and whose names are set out in Schedule "B" hereto annexed and forming part of this by-law."

3. Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed and the following substituted therefor:

Agostino Ammendolia	Ammendolia Real Estate
Bernie Martin	Rehak's Pastry Shop
Chris Merritt	Manager, C.I.B.C.
Dagmar Rudzewitsch	Seaway Travel
Wolfgang Schoen	Black Forest End
Margaret Tsangarakis	It's All Greek To Me
Jim Lyons	The Card Shark
Shakiel Baig	Rock 'N Tees
Bob Siromsky	Bad Bob's

4. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1992.

City Clerk Mayor

Bill No. C-24

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

By-law No. 86-73
As Amended by By-law No. 87-148

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE BUSINESS IMPROVEMENT AREA GENERALLY BOUNDED BY KING WILLIAM STREET, MARY STREET, MAIN STREET EAST AND JAMES STREET NORTH

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Promenade Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-148, passed on the 12th day of May 1987 amended Schedule "B" of By-law No. 86-73 to appoint a new member to the Board of Management;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 19 of the 1st Report of the Planning and Development Committee on the 14th day of January, 1992, directed that the composition of the Board of Management be further amended as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management, and to provide for certain editorial amendments relating thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sections 2(a) and 2(b) of By-law No. 86-73 are amended by adding thereto in the fifth and sixth lines respectively after the words "hereto annexed", the following phrase:

"and forming part of this by-law."

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

Marcel Mongeon	Royal Connaught Hotel
Ray Harris	Harris & Henderson
Daniel Marissen	Durward Jones Barkwell & Co.
Paul Pappas	Grapes & Things
Jordan Livingston	Jordan Livingston Furs
Reggie Titian	Reggie's Music & Sound
Wilf Gerofsky	Leeds of Hamilton

Greg Gouthreau	Hamilton Holiday Inn
Al Spadero	Central Guaranty Trust
David Lee	South Side
Sam Scime	C.I.B.C.
Tom Tarpos	Uncle Tommy's
Marvin Caplan	Marvin Caplan Gentlemen's Apparel

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1992.

City Clerk Mayor

Bill No. C-25

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 623 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 104, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 11.(2)(ii) of By-law No. 6593, the maximum building height shall not exceed 5 storeys;

   (b) notwithstanding Section 11.(3)(ii)(b) of By-law No. 6593, a northerly side yard of not less than 3.4 m shall be provided and maintained;

   (c) notwithstanding Section 11.(3)(ii)(b) of By-law No. 6593, a southerly side yard of not less than 3.0 m shall be provided and maintained;

(d) notwithstanding Section 11.(5) of By-law No. 6593, not more than 34 dwelling units shall be permitted;

(e) notwithstanding Section 11.(6) of By-law No. 6593, a landscaped area of not less than 575 m^2 shall be provided and maintained;

(f) notwithstanding Section 18A.(1) of By-law No. 6593, not less than 41 parking spaces shall be provided and maintained.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 2.

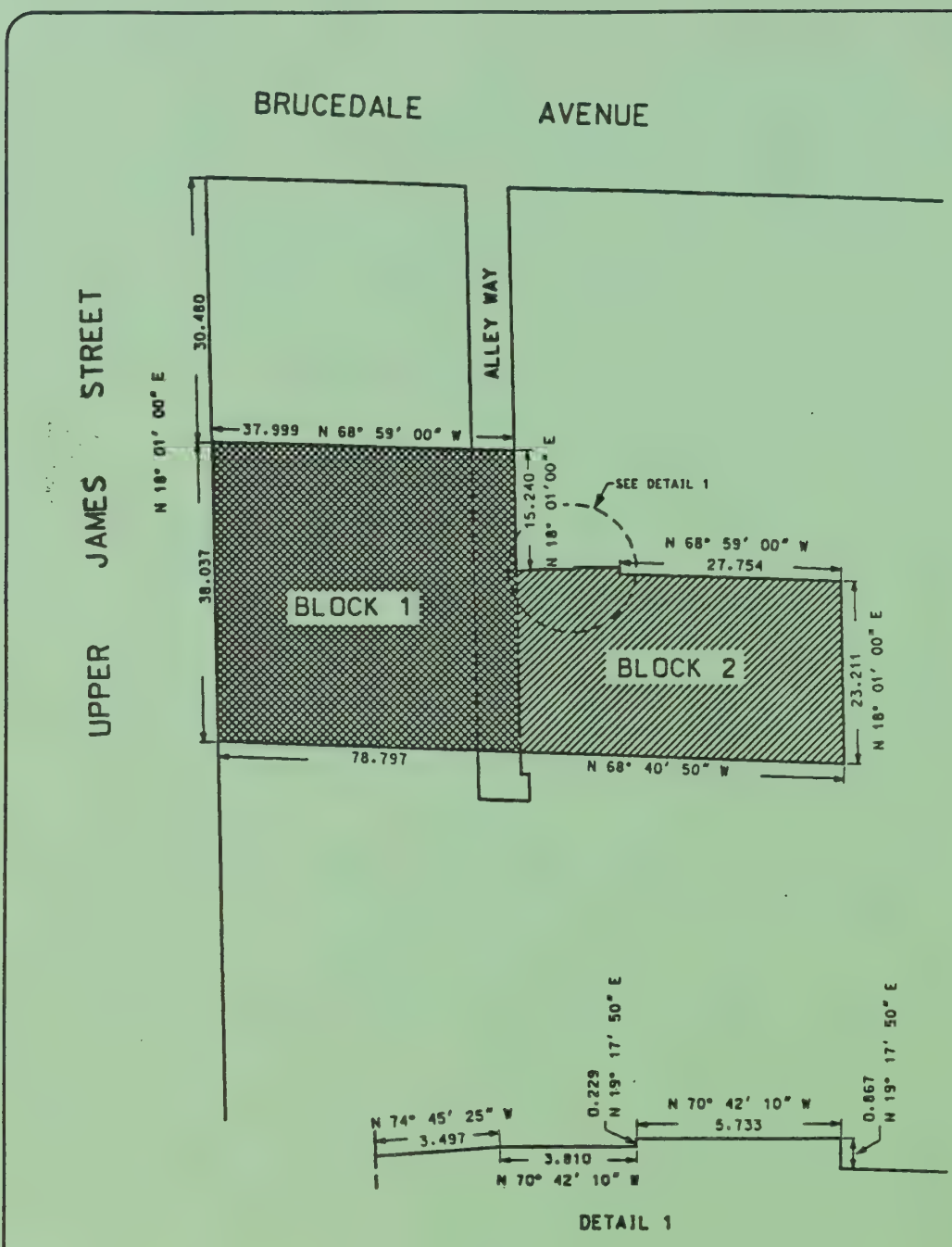
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1254.

5. Sheet No. E-7 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1254.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-____
Passed the _____ day of _____, 1992.

_____ Clerk

_____ Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.

BLOCK 2 — Modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-49
	Date	Drawn By
	JANUARY, 1992	L.B.

Bill No. C-26

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 100 CONFEDERATION DRIVE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"AA"** (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 7A(1) of By-law No. 6593, the following accessory commercial use shall be permitted only within the existing building:

      1. a penny arcade having not more than thirty machines.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1253.

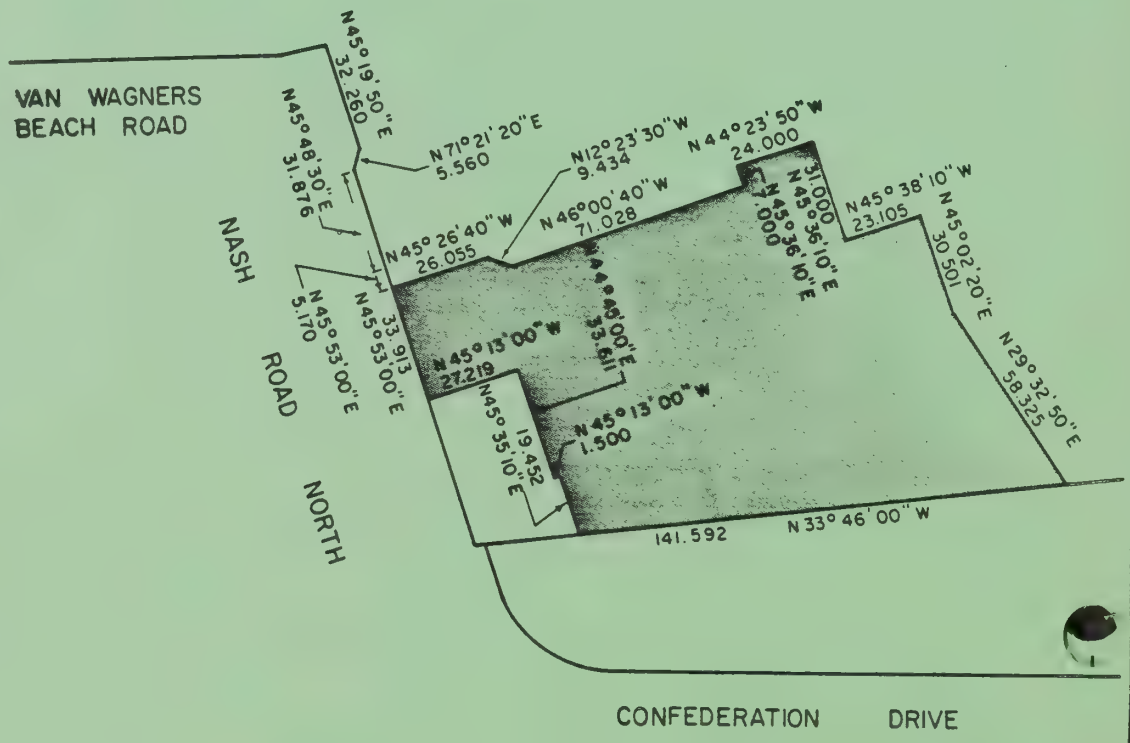
4. Sheet No. E-101 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1253.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992) 1 R.P.D.C. 35, January 14
Hamilton Region Conservation
Authority, Owner
Amended ZA-91-47



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the ..... day of ..... ,1992.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 92-.....

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-47
	Date	Drawn By
	JANUARY, 1992	L.B.

Bill No. C-27

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF COOTES DRIVE, NORTH OF MAIN STREET WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-45 and W-46 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 14.(1) of By-law No. 6593, the following residential uses shall be permitted within the same building:

      1. a lodging house not for gain with separate cooking facilities having not more than 15 lodging rooms; and

      2. one accessory Class "A" dwelling unit;

   (b) notwithstanding Section 14.(3)(ii) of By-law No. 6593, an easterly side yard not less than 1.5 m in width shall be provided and maintained;

   (c) notwithstanding Section 14.(3)(iii) of By-law No. 6593, a rear yard not less than 1.0 m in depth shall be provided and maintained;

(d) notwithstanding Section 18A.(1)(a) of By-law No. 6593, at least one parking space for each lodging room and one parking space for the accessory dwelling unit shall be provided and maintained; and

(e) Sections 18A.(11) and (12) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

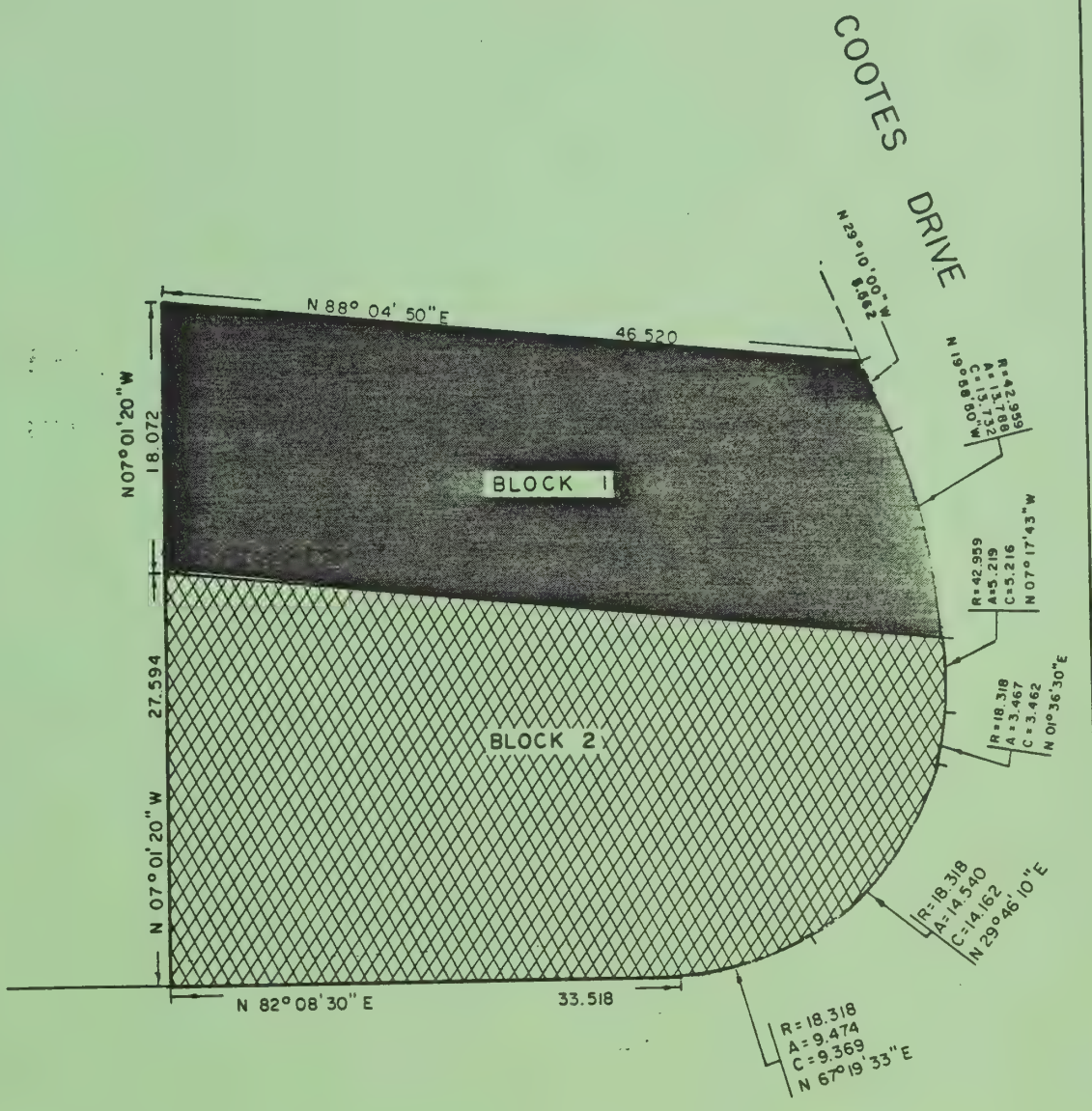
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1256.

5. Sheets No. W-45 and W-46 of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1256.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1992.

City Clerk Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the ..... day of ....., 1992.

..... Clerk

..... Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — Change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc) District, modified.

BLOCK 2 — Modification to the "H" (Community Shopping and Commercial, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA91-53
	Date	Drawn By
	JANUARY, 1992	T.A.

Bill No. C-28

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED ON THE WEST SIDE OF COOTES DRIVE, NORTH OF MAIN STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

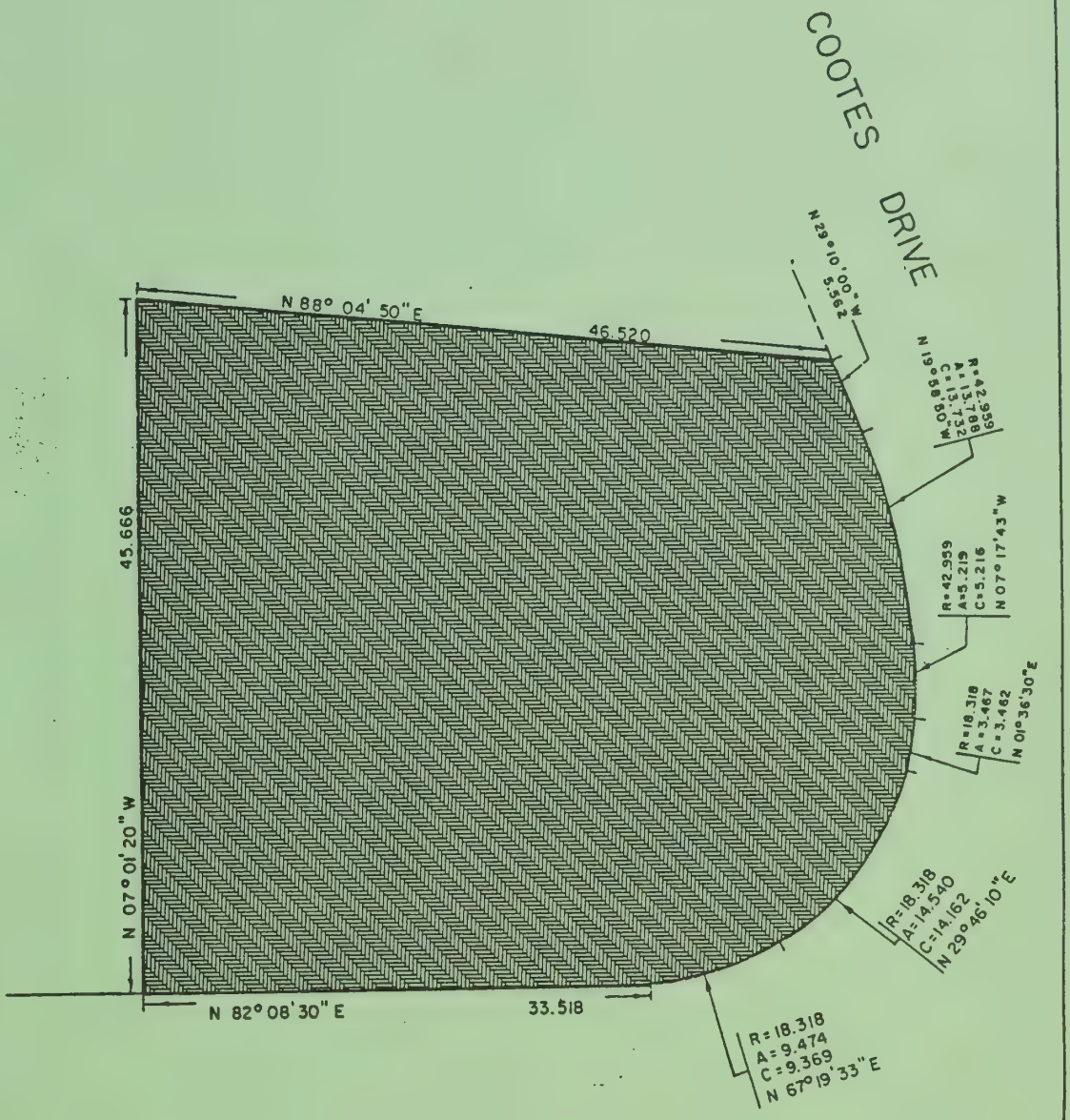
138. Lands located on the west side of Cootes Drive, north of Main Street West, shown on Appendix 138 hereto annexed and forming part of this by-law.

2. Appendix 138 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992) 1 R.P.D.C. 38(b), January 14
Kids Care Oncology Central West,
Prospective Owner
ZA-91-53



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92- .....
Passed the ..... day of ..... ,1992.

..... Clerk

..... Mayor

City of Hamilton

Appendix 138

to By-Law No.79-275

as Amended by
By-Law No.87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands Designated Under this By-Law as an area of Site Plan Control pursuant to Section 40 of the Planning Act.

North	Scale	Reference File No.
	NOT TO SCALE	ZA91-53
	Date	Drawn By
	JANUARY, 1992	T.A.

Bill No. *H-11*

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend Various Licensing By-laws Respecting:

FINES

WHEREAS The Corporation of the City of Hamilton passed By-laws No. 76-32, 79-144, 79-323, 80-259, and 90-198 respectively to licence and regulate various activities, and to provide fines for the breach of such by-laws;

AND WHEREAS it is desirable to update the various by-laws referred to, so that they now provide for the maximum fines allowed under provincial law;

AND WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, section 329 now provides that fines for by-laws passed under sections 224 and 225 allow maximum penalties of $25,000.00 upon conviction of a person, and $50,000.00 on conviction of a corporation, applicable to Body Rub and Adult Entertainment Parlour By-laws;

AND WHEREAS section 320 of the Municipal Act, which applies to by-laws of the municipality dealing with fireworks, lodging houses, and the various activities licensed under the City of Hamilton Licensing Code, 1979, provides only that breach of a municipal by-law is an offence, and the Provincial Offences Act, R.S.O. 1990, Chapter P.33, now supplies the penalty for such offences, currently being a maximum fine of $5,000.00;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-323, being the City of Hamilton Licensing Code applying to various activities, is amended by revoking Section 18, and substituting the following as section 18:

> "18. Every person who contravenes any provision of this by-law or of a schedule hereof, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding $5,000.00, in addition to the costs of prosecution."

2. By-law No. 80-259, being the Second-Level Lodging Houses By-law, is amended by revoking Subsection 49(1), and substituting the following as subsection 49(1):

> "49(1) Every person who contravenes any provision of this by-law, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding $5,000.00, in addition to the costs of prosecution."

3. Subsection 24(1) of By-law No. 79-144, being the Adult Entertainment Parlour By-law, is amended by deleting the amount "$10,000.00" in the fourth line, and replacing it with the amount "$25,000.00".

4. Subsection 24(2) of By-law No. 79-144 is amended by deleting the amount "$25,000.00" in the third line, and replacing it with the amount "$50,000.00".

5. By-law 76-32, being the Body Rub Parlour By-law, is amended by revoking section 24 in its entirety, and substituting the following as section 24:

> "24. (1) Every person who contravenes any provision of this by-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding $25,000.00 or to imprisonment for a term not exceeding one year, or to both.
>
> (2) Every day of default of compliance with any provision of this by-law shall constitute a separate offence.

(3) Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed on the corporation is $50,000.00 and not as provided therein."

6. By-law No. 90-198, being the Fireworks By-law, is amended by revoking Section 31, and substituting the following as section 31:

"31. Every person who contravenes any provision of this by-law, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding $5,000.00, in addition to the costs of prosecution."

7. In all other respects, By-laws No. 76-32, 79-144, 79-323, 80-259, and 90-198, as may have been otherwise previously amended, are hereby confirmed without change.

8. This by-law comes into force and effect on the date of enactment.

PASSED this day of A.D. 1992.

City Clerk Mayor

(1992)

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JANUARY A.D., 1992.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1992

CITY CLERK **MAYOR**

URBAN/MUNICIPAL
CA4 ON HBL A05
A31 1992

J.J. SCHATZ
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4
TEL: 546-2700
FAX: 546-2095

URBAN MUNICIPAL
FEB 2
GOV

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1992 February 25
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. Opening Prayer

Reverend Tony Ouwehand
Zion United Church

2. Proclamations

(a) Cable Television Volunteers Week, 1992 February 23 to February 29

(b) Red Cross Month - 1992 March

3. Minutes

1992 February 11

4. Petitions and Correspondence

5. Reports of the Standing Committees

(a) Transport and Environment Committee

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(e) Licensing Committee

(f) Report of His Worship Mayor Robert M. Morrow

(h) Finance and Administration Committee

6. Notices of Motion for Next Meeting

7. First Reading of the Bills

8. Second Reading of the Bills - Committee of the Whole

9. Third Reading of the Bills

10. Question Period

11. Adjournment

MINUTES

Hamilton City Council
1992 February 11
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow,

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Pastor Ivars Gaide, Christ Lutheran Church led the Council in prayer.

* * * * * * * * * * * * * * * * * * *

Mayor R. M. Morrow presented Airport Fire Chief Glenn Weylie with a framed poster of the Hamilton-Scourge in recognition of the Emergency Response Services at the Hamilton Airport responding with the largest single contribution per capita to the Non-Perishable Food Drive.

* * * * * * * * * * * * * * * * * * *

Mayor R. M. Morrow made a presentation to Mr. David Christopherson, M.P.P., Hamilton-Centre in recognition of his assistance in obtaining federal funding for the clean-up to the West Harbour (LAX Property).

* * * * * * * * * * * * * * * * * * *

Mayor R. M. Morrow presented Certificates of Appreciation to Milt Lewis, Hedy Miszuk, Amelia Demuk and Helen Wilson for their role in bringing the Provincial Liberal Leadership Convention to Hamilton.

Mayor Morrow proclaimed the following:

"Single Parent Week" - 1992 February 16 to 1992 February 22.

"Black History Month" 1992 February .

"Oxfam Day" 1992 February 29.

* * * * * * * * * * * * * * * * * * *

The minutes of the meeting held 1992 January 28 were taken as read and approved.

* * * * * * * * * * * * * * * * * * *

Correspondence:

It was moved by Alderman Kiss and seconded by Alderman Wilson that Item 1 of the correspondence respecting a resolution from the Town of Flamborough, be received.

1. Letter dated 1992 January 28 from the Town of Flamborough respecting a resolution requesting the Region, Area Municipalities and Boards of Education to support the opening of discussions with various bargaining units in light of the current economic climate.

Received.

2. Letter dated 1992 January 20 from the City of Waterloo regarding a workshop focusing on issues relating to Continuous Improvement and the Provincial 1992 Budget.

Referred to the Finance and Administration Committee.

3. Letter dated 1992 January 20 from the City of Waterloo requesting a report on the City of Hamilton's experience regarding Continuous Improvement.

Referred to the City's Management Team

4. Letter dated 1992 February 5 from J. V. Gates (in trust for a Company to be incorporated), Burlington, Ontario for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs etc.) District regulations for 124 Walnut Street South, Hamilton, Ontario. (previously distributed)

Received.

5. Letter dated 1992 February 3 from Harper Brothers Holding, Hamilton, Ontario for a change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-3" (Commercial Residential District for 212 James Street South, Hamilton, Ontario. (previously distributed)

Received.

* * * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: 0. **CARRIED.**

* * * * * * * * * * * * * * * * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 16 Re: No Stopping on the south side of Bendamere Avenue

It was moved by Alderman Merling and seconded by Alderman D'Amico that section 16 of the Third Report of the Transport and Environment Committee for 1992 be amended by:

(a) Deleting "Columbia Drive" in the second line and substituting "Bendamere Avenue" in lieu thereof; and

(b) Deleting "Bendamere Avenue" in the third line and substituting "Columbia Drive" in lieu thereof. **CARRIED.**

* * * * * * * * * * * * *

PARKS AND RECREATION COMMITTEE - THIRD REPORT

PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT

Section 16 Re: Zoning Application - 719 Knox Avenue - Ernie and Tom Schoenholz

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 16 of the THIRD Report of the Planning and Development Committee be added as follows:

16. That Zoning Application 91-71, Ernie and Tom Schoenholz, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District, to permit the subdivision of lands municipally known as No. 719 Knox Avenue into eight (8) small lot single-family building lots, having common access to Knox Avenue, as shown on the attached map marked as Appendix "D", be denied for the following reasons:

    (a) the proposal conflicts with the intent of the Official Plan, in that:

        (i) it would not be in keeping with the established character and development pattern of the area;

        (ii) the proposed density of development does not provide for sufficient spacing to maintain privacy, amenity and value; and,

        (iii) it represents an over intensification of use and would be incompatible with surrounding development;

    (b) approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and Zoning By-law, and alter the character of the neighbourhood. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - FIFTH REPORT

Re: Section 25 (c) Bill H-13: A By-law to Appoint an Acting Clerk.

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding a By-law to Appoint an Acting Clerk.

CARRIED.

* * * * * * * * * * * * *

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 25 of the FIFTEENTH Report of the Finance and Administration Committee be amended by adding the following Bill as Sub-section (c):

25. (c) Bill H-13 A By-law to Appoint an Acting Clerk. **CARRIED.**

* * * * * * * * * * * * *

Re: Section 26 Appointment of Alderman Eisenberger as City's additional member to the Single Tier Bureaucracy Review Steering Committee.

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the appointment of an additional member of City Council to the Single Tier Bureaucracy Review Steering Committee. **CARRIED.**

* * * * * * * * * * * * *

It was moved by Alderman Ross and seconded by Alderman D'Amico that the FIFTEENTH Report of the Finance and Administration Committee be amended by adding the following as Section 26:

26. That Alderman Eisenberger be appointed as the City's additional member to the Single Tier Bureaucracy Review Steering Committee.

CARRIED.

* * * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be now read a first time:

A-19, A-20, A-21, A-22, A-23, A-24.
C-20, C-21, C-22, C-23, C-24, C-25, C-26 C-27, C-28.
H-11, H-12, H-13.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-19, A-20, A-21, A-22, A-23, A-24.
C-20, C-21, C-22, C-23, C-24, C-25, C-26 C-27, C-28.
H-11, H-12, H-13.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

Consideration of the Bills (second reading).

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-19, A-20, A-21, A-22, A-23, A-24.
C-20, C-21, C-22, C-23, C-24, C-25, C-26 C-27, C-28.
H-11, H-12, H-13.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-19, A-20, A-21, A-22, A-23, A-24.
C-20, C-21, C-22, C-23, C-24, C-25, C-26 C-27, C-28.
H-11, H-12, H-13.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * * * * * * * *

City Council then adjourned at 8:20 o'clock p.m.

* * * * * * * * * * * * * * * * * * *

J. J. Schatz, City Clerk
1992 February 11

CORRESPONDENCE

Correspondence:

1. Resolution dated 1992 February 10 from the City of Windsor respecting the continued use of train whistles at fully protected crossings.

   Recommendation: **Be referred to the Transport and Environment Committee.**

2. Resolution dated 1992 February 10 from the Regional Municipality of Niagara respecting Proposed Reform of The Ontario Labour Relations Act.

   Recommendation: **Be referred to the Finance and Administration Committee.**

3. Resolution dated 1992 February 10 from the Corporation of the City of Oshawa respecting General Motors.

   Recommendation: **Be referred to the Finance and Administration Committee.**

4. Resolution dated 1992 February 5 from the City of Cornwall respecting Pay Equity Program and Arbitration Awards.

   Recommendation: **Be referred to the Finance and Administration Committee.**

5. Resolution dated 1992 February 3 from the Township of Colchester North respecting the abandonment of all new social initiative programs, new commissions, new agencies and proposed legislation for the Province of Ontario until such time as the Province recovers from the present economic situation.

   Recommendation: **Be referred to the Finance and Administration Committee.**

6. Letter dated 1992 February 18 from Mr. Andy Robertson, 240 Bendamere Avenue, Hamilton respecting the Hamilton Minor Hockey Association.

   Recommendation: **Be referred to the Parks and Recreation Committee.**

7. Letter dated 1992 February 12 from Government Finance Officers Association notifying the City of Hamilton that it has received the Distinguished Budget Presentation Award.

Recommendation: **Be Received.**

8. Letter dated 1992 February 14 from 800064 Ontario Inc. respecting the removal of the "H" Holding provision from the "C" (Urban Protected Residential, etc.) District, "C" (Urban Protected Residential etc.) modified, District, "R-4" (Small Lot Single-Family Residential) District and "RT-20" (Townhouse-Maisonette) District for lands located at No. 480 Rymal Road West, Ontario.

Recommendation: **Be Received.**

9. Letter dated 1992 February 18 from James and Felicia Capuccinello Iraci, 50 Christopher Drive, Hamilton, Ontario respecting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 50 Christopher Drive, Hamilton, Ontario.

Recommendation: **Be Received.**

10. Letter dated 1992 February 18 from Lyle Hostein and Lorna Hostein, 595 Rymal Road West, Ancaster, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 595 Rymal Road West, Hamilton, Ontario

Recommendation: **Be Received.**

THE CORPORATION OF THE

CITY OF WINDSOR

RECEIVED

FEB 13 1992

THOMAS W. LYND, M.A., A.M.C.T.
CITY CLERK

CITY CLERKS

1

TELEPHONE (519) 255-6212
(519) 255-6215
FACSIMILE (519) 255-6868

OFFICE OF THE CLERK

IN REPLY, PLEASE REFER
TO OUR FILE No. _____

February 10, 1992

MN-T/92n1

TO ALL ONTARIO CITIES AND TOWNS:

Windsor City Council at its meeting of February 3, 1992 adopted the following resolution respecting the continued use of train whistles at fully protected crossings.

WHEREAS the sounding of train whistles in an urban area can be particularly disturbing to nearby residential development notwithstanding that adequate crossing protection can eliminate the need to sound train whistles; and

WHEREAS provision existed in Section 250 of the Railway Act to give a municipality the authority to pass by-laws controlling train whistling, this provision being subsequently repealed under the new Railway Safety Act which came into force January 1, 1989, rendering Municipal By-laws reporting to prohibit train whistling of no force or effect; and

WHEREAS the repealing of this section has exposed the Railways and municipalities to possible litigation which did not exist with the authority and procedures employed under Section 250 of the Railway Act when municipalities sought relief from whistling at fully protected crossings, and in addition, removal of Section 250 of the Railway Act has added an unnecessary tax burden to the local citizens;

THEREFORE BE IT RESOLVED that the Minister of Transport Canada **BE PETITIONED** to reinstate the provisions of Section 250 of the Railway Act and provide municipalites with the authority to pass by-laws to control the use of train whistles at fully protected crossings; and further, this resolution **BE CIRCULATED** to all Ontario municipalities, the Federation of Canadian Municipalities, the Municipal Engineers Association, the Canadian Pacific Railway, Canadian National Railway, the Essex Terminal Railway and local Members of Parliament for their support."

I would request that this resolution be submitted to your Council for endorsation. It would also be appreciated if you would advise the Minister, Transport Canada and the Federation of Canadian Municipalities of your Council's position in this matter.

Yours very truly

T. Lynd.

PC/NL Thomas W. Lynd
City Clerk

Regional NIAGARA

OFFICE OF THE CLERK
The Regional Municipality of Niagara
2201 St. David's Road, P.O. Box 1042
Thorold, Ontario L2V 4T7
Telephone: (416) 685-1571

2.

February --, ----

To: Local Area Municipalities

Municipalities in Ontario with
Population in excess of 100,000

Re: **Discussion Paper - Proposed Reform of**
The Ontario Labour Relations Act

The Council of the Regional Municipality of Niagara, at its meeting of February 6, 1992, on the recommendation of its Human Resources Committee, endorsed the enclosed Brief entitled "The Regional Municipality of Niagara's Response to the Minister of Labour on 'Proposed Reform of the Ontario Labour Relations Act'".

The following resolution was also approved and adopted:

"That the Minister of Labour be advised that the proposed reform of the Ontario Labour Relations Act does not address nor reflect the labour relations environment of local government in Ontario, and if adopted, could have detrimental effects on labour relations in local government; and

That a Task Force be immediately established to address difficulties that municipalities have with outdated arbitration laws under the Fire, Police and Hospital Labour Acts; and

That this resolution and Brief by the Regional Municipality of Niagara be circulated to the local members of Provincial Parliament, local area municipalities, and municipalities in Ontario with a population in excess of 100,000 for support."

We hereby request your support of this resolution and Brief, and urge you to advise the Minister of Labour of your support in this matter.

Yours truly,

Carla Cavasin

Carla Cavasin, MPA
CMO, AMCT, CMMIII
Regional Clerk

/gr
cc: M. H. Boggs
J. Nicol

Regional NIAGARA

DHR-4-92
January 28, 1992

Report to: Chairperson and Members
Human Resources Committee

Subject: **Discussion Paper - Proposed Reform of The Ontario Labour Relations Act**

RECOMMENDATIONS:

1. "That Regional Council endorse and submit to the Minister of Labour, the enclosed Brief entitled "The Regional Municipality of Niagara's Response to the Minister of Labour on 'Proposed Reform of the Ontario Labour Relations Act';

2. That the following resolutions be approved and adopted by Regional Council:

   That the Minister of Labour be advised that the proposed reform of the Ontario Labour Relations Act does not address nor reflect the labour relations environment of local government in Ontario, and if adopted, could have detrimental effects on labour relations in local government; and

   That a Task Force be immediately established to address difficulties that municipalities have with outdated arbitration laws and authority under the Fire, Police and Hospital Labour Disputes Arbitration Acts; and

   That this resolution and Brief by the Regional Municipality of Niagara be circulated to local members of Provincial Parliament, local area municipalities, and municipalities in Ontario with a population in excess of 100,000 for support."

REPORT:

The Provincial Government has released a Discussion Paper "to elicit a wide range of opinion and input from employers, trade unions, employees and community groups on the shape and impact of proposed and possible reforms to the Labour Relations Act." The fifty-eight-page Discussion Paper offers amendments to an Act that has not had "substantial review" for more than fifteen years. Consequently, the government believes it is now appropriate that the Act be modernized and revitalized to respond to the changing needs of Ontario's workforce and economy."

The Government will be conducting consultations on its proposed reforms and will receive submissions until February 14, 1992.

BACKGROUND:

Prior to releasing the cabinet-approved report in November 1991, the Government appointed an external committee of experts in labour law to identify reform options. The labour and business committee representatives could not agree on one report and as such, filed separate reports in April 1991. The 95-page submission from Labour has received wide-spread attention and was reported to Council under date of July 23, 1991 (DP-273). Council subsequently resolved:

> "That the Director of Human Resources be requested to complete a further report on the yet to be released Discussion Paper on Labour Law Reform in Ontario once released by the Minister of Labour for purposes of amending the Ontario Labour Relations Act."

Neither the aforementioned labour committee brief or 40-page business/management brief was endorsed by the Ministry of Labour or the Government, but were deemed "successful in identifying a broad range of reform options".

In addition to the aforesaid documents, the Discussion Paper considered submissions from employer and employer associations, trade unions, employees and other organizations.

COMMENTS

A number of preferred options for reform can be summarized under the following main subjects:

- To more explicitly state the objectives of the Act;
- To facilitate the process for the certification of trade unions;
- To correct certain problems perceived by the government with respect to collective bargaining;
- To increase protection for bargaining rights while a collective agreement is in force;
- To ensure the effective administration of collective agreements;
- To encourage cooperation and partnership between labour and management.

...3/

A summary of the Discussion Paper under the aforesaid subject headings was prepared by Labour Canada, Ministry of Supply and Services, 1991, and is attached hereto as Schedule "A". The undersigned has also enclosed as Schedule "B", a 6-page "Summary" of the Discussion Paper as authored by the Ministry of Labour.

As a number of private-sector companies as well as economic development commissions (including the NRDC) and Trade Unions have or will be making submissions on ramifications of the Discussion Paper on the private sector, the enclosed brief has been prepared for submission by Regional Council as to the effect of the proposed legislation on municipal government.

RESPECTFULLY SUBMITTED,

John S. Nicol, M.A., M.P.A.
Director of Human Resources

REVIEWED AND APPROVED,

M. H. Boggs
Chief Administrative Officer

January 23, 1992

(#DHR4-92)

THE REGIONAL MUNICIPALITY OF NIAGARA

RESPONSE TO THE MINISTER OF LABOUR

ON

PROPOSED REFORM OF

THE ONTARIO LABOUR RELATIONS ACT

January 28, 1992

8 0027

Regional NIAGARA

PROPOSED REFORM OF

THE ONTARIO LABOUR RELATIONS ACT

We appreciate the opportunity to advise the Minister of Labour and Provincial Government on concerns the Regional Municipality of Niagara has with the Discussion Paper entitled "Proposed Reform of the Ontario Labour Relations Act".

The following brief, as endorsed by Regional Council, has been prepared to address the discussion paper as it solely pertains to municipal government.

Proposed changes to the Labour Relations Act would result in substantive changes to existing Ontario labour relations. In particular, the proposed amendments would facilitate union organizing and extend the range of those entitled to collective bargaining. While such proposals may address the government's perceived need to increase an organized workforce in such areas as retail trade, it certainly is not necessary nor reflective of the municipal public sector workforce.

According to Labour Canada, union membership in Canada had increased 101 per cent in 1991 from a year earlier. The largest union in the country continues to be the Canadian Union of Public Employees (397,700 members) followed by the National Union of Provincial Government employees (302,400 members). Based on the size of the organized labour force in the public sector in general and municipal government field in particular, one must question the need to enact amendments to the Labour Relations Act that would further increase the already union-dominated workforce in local government.

One of the preferred options for reform in the report is as follows:

> "While employers would be able to use managerial and supervisory employees working out of the struck location, they would be prevented from using outside employees at the struck workplace (employees from other non-striking locations and supervisory and managerial personnel from those locations.)"

Moreover, it is the preferred option of the government to no longer permit employers "to hire or utilize the service of newly hired workers for the purpose of performing the work of employees on strike or locked out." It is also the preferred option of the government to allow first line supervisors to organize which will restrict the ability of the public sector employer to meet its responsibilities to the local Community.

...2/

All of the above options would appear to have been proposed due to perceived difficulties in the private as opposed to public sector. The aforementioned "preferred options" for reform would restrict the ability of the municipal government to meet its responsibilities to the local community. In particular, these preferred options would appear to disregard the resultant danger to public health and safety if applied to a municipal workforce.

We respectfully suggest that the labour relations environment in the private sector is very different than the public sector and as such, the proposed reforms could have detrimental effects on the existing labour relations environment of municipal government in Ontario.

The Report does acknowledge that "there is likely a specific need for exceptions in the public and quasi-public sectors covered by the Act, particularly in regard to the provision of some health and social services where public safety or health is put at risk". Unfortunately, the paper does nothing more than acknowledge this fact and does not elaborate on potential exceptions. It would be irresponsible for the government to pass legislation that would allow front line supervisors to organize and enact legislation which hinders the employer's ability to use outside employees at struck sites without specifically addressing the question of exceptions. For example, struck sites such as pollution control plants and arterial road services could jeopardize the health, safety and emergency response time of municipal services to an entire region. The Discussion Paper simply does not address changes that have taken place in the municipal public sector where, due to modernized and sophisticated pollution control plants, the previous right to organize plant operators and technicians should be rescinded given the danger that a work stoppage could have to public health and safety.

The Discussion Paper also states that it is the government's proposal to require the employer to continue benefit coverage where the trade union pays the employer an employee's share of premiums during the work stoppage. Unfortunately, the report does not address the increased costs that the employer will incur in future years due to claims that are submitted for non-related work accidents, illnesses and disabilities that occur during the work stoppage. The government's proposal is yet another measure that would encourage as opposed to discourage the use of a work stoppage to achieve economic gain at the bargaining table.

The government should review the actual number of work stoppages in the municipal public sector and the number of contract settlements that have been achieved without a work stoppage before changing the existing legislation. One could argue that the proposed changes to the Act will deter as oppose to assist labour relations in the municipal government sector. The labour relations environment and number of organized workers in the municipal public sector is very different than the private sector and legislation proposed to address the latter could have detrimental ramifications on the municipal sector.

Finally and most importantly, comprehensive changes to the Act in general and arbitration powers in particular should not be made in a vacuum from changes to the powers of an Arbitration Board or single arbitrator under the Hospital Labour Disputes Arbitration Act, Police Act, and Fire Departments Act. In particular, there must be restrictions on the right of arbitrators to declare awards that result in wage improvements well beyond the CPI of a local municipality. As noted by the Premier during his January 21, 1992 address to the Province, "wage increases, at every level, must be moderated to protect jobs", and as such, the right for arbitrators to grant exorbitant wage improvements must end. A good example is the 9.8 per cent salary increase and 1.2 per cent additional fringe benefit increase awarded to St. Catharines firefighters in December 1991, notwithstanding a December 1991 consumer price index change of only 3.2 per cent over that of December 1990 and a provincial CPI annual increase of 4.6 per cent. A number of arbitration awards have stated that the ability of an individual community to pay is irrelevant in municipal interests arbitration awards governing Homes for the Aged, hospitals, police and fire departments. The provincial government is most irresponsible in addressing the power of arbitrators under the Labour Relations Act and not the power of arbitrators under the above-noted Acts. Moreover, the latter are much more outdated than the Labour Relations Act.

In conclusion, it is very apparent that the proposed reforms are most inappropriate for municipal government and the services it provides its local communities. There already is a proliferation of organized labour in the municipal public sector. The Paper completely ignores the ramifications of the proposed changes on the ability a municipal government to provide essential services to the public and not be held "hostage" at the threat of a strike by the union. Municipalities should not be governed by any of the proposed reforms outlined in the November 1991 Ontario Labour Relations Act Discussion Paper. It is recommended that a separate report or discussion paper be published on concerns that local government encounters under the current Labour Relations Act and arbitration powers under more outdated related Acts such as the Hospital Labour Disputes Arbitration Act, Police Act and Fire Departments Act.

RESPECTFULLY SUBMITTED,

Brian E. Merrett
Regional Chair

JSN/jc
(#DHR4-92)

In order to state explicitly the objectives of the Act, it is proposed:

- to replace the preamble of the Labour Relations Act with a purpose clause that would reflect more explicitly the underlying objectives of the Act, and provide greater guidance to the Ontario Labour Relations Board (OLRB) in exercising its powers under the Act.

In order to facilitate the process for the certification of trade unions, it is proposed:

- to provide for faster Board processes to deal with complaints arising from discipline or discharge during organizing campaigns;
- to consider evidence of membership in a trade union only as of the date of application for certification;
- to modify the existing OLRB power to certify a trade union in order to remedy an unfair labour practice of the employer by removing the "adequate membership support" requirement (before granting certification the OLRB would have to be satisfied that it is unlikely the true wishes of the employees can be determined);
- to provide that the level of support required for certification based on membership cards be an absolute majority of employees in the bargaining unit, and that the level of support required to make a vote mandatory be 40%;
- to require the OLRB to include part-time and full-time employees in a single bargaining unit where a trade union seeks certification of both groups of employees and has overall majority support; if the trade union has majority support for only one group of employees, the OLRB would be required to certify a separate unit of full-time or part-time employees;
- on application by either the employer or trade union, to provide for the settlement of a first collective agreement by arbitration where the parties have been in a legal strike/lockout position for more than 30 days, and have been unable to reach an agreement;
- to provide employees with just cause protection in cases of disciplinary action or dismissal following certification, and under first and subsequent collective agreements (subject to the right of the parties to agree to limit the application of this protection to probationary employees for up to 90 calendar days).

In order to correct certain problems perceived by the government with respect to collective bargaining, it is proposed:

- to prohibit the employer from using replacement workers (except managerial and supervisory personnel at the establishment) to perform the work of striking or locked-out employees at the establishment affected by a labour dispute (employers would continue to have the right to shift work to another location);
- to require employers to continue employee benefit coverage during a strike or lockout where the trade union makes a request to that effect and pays the employees' and employer's share of the relevant premiums;
- to provide employees with just cause protection in cases of disciplinary action or dismissal during a labour dispute;
- to repeal the existing limitations on the right to return to work during a strike, and provide for reinstatement provisions;
- to permit employees to picket on third-party property to which the public ordinarily or customarily has access;
- to provide the OLRB with the authority to settle or determine one or more of the terms of a collective agreement where the existing duty to bargain in good faith has been violated, to the extent required to remedy the violation.

In order to increase protection for bargaining rights while a collective agreement is in force, it is proposed:

- to extend the successor rights protection of bargaining rights and collective agreements to situations in which the sale or transfer of a business is from the federal to provincial jurisdiction;
- to protect bargaining rights and collective agreements for cleaners, food and other service workers employed by a building owner or contractor when their work is transferred from one employer to another, but continues to be done at the same premises.

In order to ensure the effective administration of collective agreements, it is proposed:

- to make the grievance arbitration process more effective and expeditious, notably by giving arbitrators additional procedural powers and ensuring that they can decide all issues before them.

In order to encourage cooperation and partnership between labour and management, it is proposed:

- to provide a new Work Organization and Adjustment Service which would assist employers and unions in responding to changes in the workforce, technology and the economy and would provide expert advice, mediation service, brokerage and information;
- to require that more information be provided to the Ministry of Labour and workers regarding adjustment measures; to create a statutory duty to bargain in good faith towards a labour adjustment plan whenever an employer is planning a closure or mass layoffs, with remedies focusing on ensuring that real discussion takes place at the appropriate time rather than on imposing an adjustment plan; and to develop a non-mandatory Code of Best Adjustment Practice (this provision would neither affect the employer's prerogative to close or carry out layoffs nor create a right to strike or lock out over the plan).

Source - Discussion Paper made public by the Ontario Minister of Labour on November 7, 1991

SUMMARY

THE REGIONAL MUNICIPALITY OF NIAGARA
NOV 2 0

Ministry of Labour Ontario

of the Discussion Paper on Proposed Reform to the Ontario Labour Relations Act

CLERK

November, 1991

This is a summary of a discussion paper from the Ministry of Labour on Proposed Reform of the Labour Relations Act. The full discussion paper details a number of preferred options for reform of the Act. In some other areas, where the government has not decided whether reform is appropriate, the paper discusses problems without making specific proposals.

This summary provides only an overview of the government's proposals. Those who wish more detailed information about the proposals or the government's consultation process should obtain a copy of the full discussion paper from the address at the end of this document.

Introduction

Collective bargaining, the centrepiece of the Labour Relations Act, provides the most effective way of promoting employee participation in the workplace - a crucial ingredient in adapting to fundamental economic change. The Act has failed, however, to keep pace with change and is no longer responsive to the needs of many employees. The government is committed to reform of the Act because fairness in the workplace and economic renewal go hand-in-hand.

The Ontario Labour Relations Act

The Act governs labour relations in most of the private sector and parts of the public sector. It sets the rules for employees who wish to organize into unions, prohibits unfair labour practices by employers and unions, establishes compulsory arbitration of disagreements arising during the life of the contract, and sets up the Ontario Labour Relations Board (the "Board").

More than 15 years have passed since the Act was reviewed in any comprehensive way.

Today's Workforce

The Act as it now stands is geared to the needs of a primarily male workforce employed in large workplaces -- typically in the manufacturing and resource sectors. This does not reflect the reality of today's workplace and workforce.

Women now make up almost half the workforce. The ethnic and cultural mix at work is far more diverse. Recent years have seen a rapid expansion of employment in the service and retail sectors, with workplaces that typically contain small numbers of workers, many of them part-timers, often women and members of minority groups.

The Government believes the Act must be modernized to reflect the new workplace reality. Collective bargaining should be more accessible when a majority of employees in workplaces in these sectors wish to be represented by a trade union.

Co-operation in the Workplace

Ontario's future economic success depends on our ability to maintain a highly skilled, educated and motivated workforce. Critical to this is the development of more co-operation between employers, trade unions and the employees they represent. The Act should encourage employees and employers to work together on mutual challenges instead of fostering a climate of antagonism and confrontation.

THE GOVERNMENT'S PROPOSALS

An overview of the government's proposals is provided below. Many of the approaches described are already in place in other provinces or under federal labour law; others involve new approaches to change in the workplace.

1. Purpose Clause

The Government is proposing a purpose clause which would include the following objectives: ensuring that workers can freely organize; improving terms and conditions of employment and employee participation in the workplace through collective bargaining; enhancing the ability of employers and trade unions to adapt to change; promoting harmonious labour relations; and providing effective ways of settling disagreements.

2. The Right to Organize

Ontario's Labour Relations Act is one of the most restrictive in Canada in terms of providing the right to organize. The government's proposals would extend the right to organize to domestics, professionals, front-line supervisors, and agricultural employees who work in factory-style settings and in landscape gardening. The proposals would also allow security guards to join the union of their choice.

3. Organizing Activity and the Certification Process

In order to remove unnecessary obstacles to employees who are seeking access to collective bargaining the government proposes to provide for faster Board processes to deal with complaints during organizing, allow organizing activity in public places and make more information available during organizing campaigns. The government is also interested in hearing views on the question of access to employee information but has no proposed reforms in this area.

The present certification process often involves excessive delay and complexity. The government's proposals include limiting the use of anti-union petitions filed after a certification application has been filed, removing the one dollar payment now required as proof of support for a union, and providing that a union can be certified where it has the support of an absolute majority of employees.

4. Structure and Configuration of Bargaining Units

Proposals in this area include ensuring that the Board considers the importance of facilitating access to collective bargaining when it determines the bargaining unit, and requiring the Board to include part-time and full-time employees in the same unit where an overall majority of employees support the union. The government is also seeking views on whether and in what circumstances the Board should have the power to consolidate two or more bargaining units, but has no proposal for reform in this area.

5. Negotiating the First Collective Agreement

Proposals in this area would increase protection for employees who are negotiating their first contract and include improved access to first contract arbitration, and protection for employees against unjust dismissal and discipline following certification.

6. Improving Collective Bargaining and Reducing Industrial Conflict

These proposals are designed to discourage lengthy and confrontational labour disputes. Proposals include a limitation on the use of replacement workers during strikes and lockouts. Employers could continue to use managers and supervisors from the struck location and to shift work to another location. The government's proposal recognizes the need for possible exceptions in the delivery of some important services.

Other proposals in this area include protection against unjust dismissal and discipline during a labour dispute, rules governing return to work following disputes, and the extension of employee benefit coverage during a strike (when the union pays the full cost of coverage). The proposals would also allow peaceful picketing in public places and allow employees to honour lawful picket lines when specifically agreed to by both parties in the collective agreement.

7. Preservation of Bargaining Rights

The most important proposal in this area would protect bargaining rights and collective agreements for cleaners, food and other service workers employed by a building owner or contractor when their work is transferred from one employer to another, but continues to be done at the same premises. Other proposals address some technical problems in the current sections of the Act which arise when a business is sold.

8. The Grievance Arbitration Process

These proposals are intended to make the resolution of disputes under a collective agreement quicker and more effective. They include giving arbitrators additional procedural powers and ensuring that arbitrators can decide all issues before them, including the application of other legislation where it is relevant to resolving a dispute.

9. Adjudication by the Ontario Labour Relations Board

These proposals would give the Board additional procedural powers and greater flexibility to determine remedies when the Act is breached. This would include the discretion to grant orders on an interim basis.

Adjustment and Change in the Workplace

The government's proposals in this area focus on encouraging cooperation and partnership between labour and management in responding to pressures associated with new work organization, technological change and changing skill requirements. They include:

- **A Work Organization and Adjustment Service.** Our current industrial relations system contains no mechanism for constructive dialogue during the term of a collective agreement. The government is proposing a new service which would assist employers and unions in responding to changes in the workforce, technology and the economy and would provide expert advice, mediation service, brokerage and information.

- **A Forum for examining workplace flexibility, productivity and adjustment.** This would bring labour and management together with government at the provincial level to develop broad strategies for responding to restructuring and adjustment issues. Two approaches suggested are a special task force of the Premier's Council and a special commission which would report to the Legislature.

- **Regulating the adjustment process in mass layoffs.** These proposals follow Ministry of Labour consultations on this issue early in 1991, and include: requiring that more information be provided to the Ministry of Labour and workers regarding adjustment measures; creating a statutory duty to bargain in good faith towards a labour adjustment plan whenever an employer is planning a closure or mass layoff; and the development by the government of a non-mandatory Code of Best Adjustment Practice.

  The government will <u>not</u> deal at this time with reforms of statutory notice and severance pay requirements in mass layoffs, establishing new requirements for notice of, and bargaining over, technological change; or mechanisms for reviewing alternatives to plant closures and other mass layoffs.

CONSULTATIONS

The government will be conducting a province-wide consultation process on Labour Relations Act reform starting in November, 1991. All members of the public, and organized groups and associations, are invited to let the government know their views. Those who wish may also submit a written response, which should be received by the Ministry of Labour no later than Friday, February 14, 1992.

Written submissions should be sent to :

Bob Mackenzie M.P.P.
Minister of Labour
Labour Relations Act Reform
400 University Avenue
14th Floor
Toronto, Ontario
M7A 1T7

For a complete copy of the Discussion Paper on Proposed Reform of the Ontario Labour Relations Act, additional copies of this summary, or inquiries about the consultation process, please call the Ministry of Labour Communications Branch at (416) 326-7400.

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OFFICE OF THE CITY CLERK
THE CORPORATION OF THE CITY OF OSH

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CITY CLERKS

R. A. HENDERSON, A.M.C.T., C.M.C.
City Clerk

BRIAN SUTER, C.M.O., C.M.C., C.M.M.
Deputy City Clerk

TEL. (416) 725-7351
FAX (416) 436-5697

50 CENTRE STREET SOUTH
OSHAWA, ONTARIO
L1H 3Z7

File A-2511

February 10, 1992

J. Schatz, City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8V 2W5

Re: General Motors of Canada

City Council considered the above matter at a meeting held February 3, 1992, and adopted the following resolution:

> "WHEREAS on December 18, 1991, General Motors Corporation announced that a major restructuring of the Corporation is underway,
>
> AND WHEREAS General Motors Corporation in Oshawa employs approximately 19,000 area residents directly in their operations,
>
> AND WHEREAS the automobile manufacturing and related industries employ approximately 150,000 people across Canada accounting for approximately one-half of Canada's manufacturing Gross Domestic Product and 6 to 8 percent of Canada's total economic output,
>
> AND WHEREAS the restructuring of any General Motors' facilities in Oshawa would have profound economic consequences across the country,
>
> BE IT RESOLVED that City Council request that the area Members of Parliament and members of Provincial Parliament initiate quick and decisive actions within their areas of jurisdiction in order to improve the business environment so as to ensure the continued viability of General Motors Corporation in Oshawa specifically and in Canada generally,
>
> AND FURTHER that a copy of this resolution be forwarded to the area Members of Parliament and Members of Provincial Parliament,
>
> AND FURTHER that a copy of this resolution be forwarded to selected municipalities across Ontario requesting them to pursue their local Members of Parliament and Members of Provincial Parliament to initiate actions by the provincial and Federal Governments to ensure the continued viability of General Motors in Oshawa, specifically and in Canada, generally."

Your consideration of this important issue is appreciated.

Brian Suter
Deputy City Clerk

BCS/cfk

CORNWALL

OFFICE OF THE
BUREAU DU (

P.O. Box / (
360, rue Pit
Cornwall, Ontari
(613) 932-6252
FAX: (613) 932-8145

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February 5, 1992

To: All Municipalities of Ontario
Population of 45,000 or more.

Re: 1. Pay Equity Program
2. Arbitration Awards

The Council of the Corporation of the City of Cornwall is very concerned with the economic hardship that has prevailed in Ontario. In particular, the recent announcement by Premier Bob Rae of transfer payment increases of 1% in 1992 and 2% in both 1993 and 1994 will cause severe financial restraints on Ontario Municipalities.

As a result at the regular meeting of January 27, 1992 the Council of the Corporation of the City of Cornwall passed the attached two resolutions.

It would be appreciated if you would place these resolutions before your Council for its endorsement and forward it to the Premier and your local M.P.P.

Yours truly,

R. Allaire

R.Allaire, CMC,
City Clerk

/dm

Corporation of The City of Cornwall

Resolution No. _____

Proposed by Alderman Dick Aubry

Seconded by Alderman Dean Hollingsworth

WHEREAS the Province of Ontario is experiencing a severe decline in its revenues;

AND WHEREAS the Premier of Ontario, Bob Rae, has advised municipalities, universities, school boards, and hospitals (M.U.S.H.) that provincial allocations will be held at 1%, 2%, 2% increases respectively over the next three years;

AND WHEREAS Provincial programs such as Pay Equity are impacting overwhelmingly on the budgets of M.U.S.H.

THEREFORE be it resolved that the City of Cornwall petition the Province to freeze implementation of this program to allow M.U.S.H. to cope with reduced revenues and increasing costs;

AND FURTHER be it resolved that this resolution be forwarded to other Ontario Municipalities of 45,000 population or more for their endorsement including AMO and Mr. John Cleary, M.P.P.

Certified to be a true copy of a resolution passed by City Council at a meeting held Monday January 27, 1992

February 3rd 19 92

R. Affaire, City Clerk

Corporation of The City of Cornwall

Resolution No. _____

Proposed by Alderman Tom Green

Seconded by Alderman Dean Hollingsworth

WHEREAS the Premier of Ontario announced measures to help the Province of Ontario to hold down its deficit;

AND WHEREAS one of the measures announced is a transfer payment increase of 1% in 1992 and 2% in 1993 and 1994 for municipalities, universities, hospitals and school boards;

NOW THEREFORE be it resolved that the Council of the Corporation of the City of Cornwall urge the Provincial Government to impress upon all its agencies the financial restraints being imposed and, in particular, that provincial arbitrators become more conscious of the local government's increasing inability to support arbitration awards that will exceed provincial transfer payment percentages.

AND that this resolution be circulated to all municipalities in Ontario having a population of 45,000 or more for their support and that this resolution be also sent to the Association of Municipalities of Ontario and Mr. John Cleary, M.P.P.

Certified to be a true copy of a resolution passed by City Council at a meeting held January 27, 1992

January 31 19 92

R. Allaire, City Clerk

THE CORPORATION OF THE

Township of Colchester North

NORMA F. MELOCHE, AMCT
CLERK - TREASURER

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February 3, 1992

RECEIVED
FEB 21 1992
CITY CLERKS

Clerk
City of Hamilton
71 Main St. W.
Hamilton, Ontario
L8V 2W5

Dear Sir/Madam

Enclosed please find a resolution passed by Council at their regular meeting held on January 27th, 1992 which is self-explanatory.

Also enclosed are copies stating the announcement of new agencies and a copy stating the cost of financing Ontario's deficit.

Council is asking for your support of this resolution by notifying Premier Bob Rae and your local members of Parliament.

Yours truly

Norma Meloche, AMCT
Clerk-Treasurer

encl.

gb

Township of Colchester North
January 27th, 1992

"Moved by Councillor Damm
Seconded by Councillor Martin

WHEREAS residents of Colchester North and residents of the Province of Ontario pay taxes to support programs of the Provincial Government;

AND WHEREAS the cost of financing Ontario's deficit is $13,684,931.50 per day for interest alone;

AND WHEREAS the Province of Ontario continues to introduce new legislation, which is legislating and taxing industry to death or forcing industry to locate out of the province, and the introduction of new programs, new commissions and new agencies cost millions of the taxpayers' dollars to operate;

THEREFORE be it resolved that the Township of Colchester North recommends the abandonment of all new social initiative programs, new commissions, new agencies and proposed legislation until such time as the Province recovers from the present economic situation;

AND FURTHER that the Province make immediate changes to focus tax dollars on initiatives that will help the economic recovery of the Province;

AND FURTHER that this resolution be circulated to the municipalities of Essex County, cities, counties, regions of Ontario, Premier B.Rae, AMO, ROMA, and local members of the Provincial Government. Carried."

Announcement from the Minister Responsible for the Automobile Insurance Review:

"The Ministry of Transportation will develop a new Road Safety Agency which will confront two principal challenges: safer roads, and efficient and convenient service for issuing driver licences and vehicle registrations. The government, the insurance industry and other groups interested in safety will combine forces through the Agency -- with increased resources, incentives and authority -- to give a higher profile to road safety and reduce the cost of motor vehicle accidents."

.....

Notice Windsor Star - January 11th, 1992:

"The Government is working on economic and social initiatives that include:

The Ontario Budget for '92
An Ontario Investment Program
An Industrial Strategy
A New Skills Training System
Fair Taxes
Agricultural Land Use Review
Managing Ontario's Forests
Long Term Care for Seniors and Adults with Physical Disabilities
Labour Relations Reform
Child Care Reform
Waste Reduction Initiatives
Employment Equity
A Social Charter for Canada

.....

M.P. Mike Harris - Fall 1991 Issue Facts on: Ontario's Current Economic Situations:

"The cost of financing Ontario's deficit is $13,684,931.50 a day for interest payments - that's $570,205.00 and hour."

.....

Consultation Paper - October, 1991 from the Ministry of Community & Social Services, Ministry of Health, Ministry of Citizenship:

"This document is the result of an intense review in the past year. The government's redirection of long-term care includes:

- a large expansion in funding for community support services;
- better coordination of services;
- assurance of greater community participation;
- re-alignment of funding policies to reduce regional disparities;
- increased funding for supportive housing; and
- an integrated approach to provincial management of all long term care health and social services."

6.

240 Bendamere Ave.,
HAMILTON, L9C 1P5
Tel 389 - 4509
Feb. 18, 1992

Corporation City of Hamilton
City Hall, HAMILTON
L8N 3T4

Re: Hamilton Minor Hockey Council Newsletter

Mayor Morrow, Members of Council

I understand the Hamilton Minor Hockey Council are a sub-committee of Council and as such are answerable to and represent Council in their actions, within their mandate.

I am enclosing a copy of the latest HMHA Newsletter for your consideration. There are a number of items which should be of some concern to you.

1. Are we to assume that "..most REP Tier Games and the Sunday HUB Schedule...." will be removed from local arenas and re-scheduled at the proposed West Mountain Twin Pad ???

2. Will the proposed new arena cost TWO MILLION DOLLARS MORE than is presently understood ??? Are the authors of this "newsletter" privy to information not available to the rest of us ???

3. Does Council approve of the other comments as noted in Paragraph 3 ???

4. Have City staff played any part in the production of this document ???

Your urgent attention would be appreciated.

Yours Very Truly

Andy Robertson

FEBRUARY 1992 NEWSLETTER HAMILTON MINOR HOCKEY COUNCIL

GOOD NEWS

We've finally got more ice in the works for the City of Hamilton. The Twin-Pad facility on the West Mountain is scheduled to commence operating in October 1993 - keep you fingers crossed.

Preliminary figures suggest the local REC association, most REP Tier Games and the Sunday night HUB Schedule can all be accomodated at this arena. All subject to other City users and approval of City Hall. We're ready to sit down with the City as soon as known building start dates are finalized.

As an aside: We can thank the objectors, mainly one Mr. Andy Robertson, for increasing the costs substantially (some $2m) and depriving our kids of much needed ice. As a taxpayer and as a parent you should know that the objector's case was very weak and poorly presented to the O.M.B. - the official decision gave them little, if any, credit. It was proven beyond doubt that to meet the need of this community Hamilton should be building a second Twin-Pad as soon as possible.

WEST MTN. ASSOCIATION

Those interested in helping form this new Recreational Hockey Association are invited to attend an initial planning meeting at:

Sir Allan MacNab Recreation Centre
Mon. Feb 17, 1992 7.30 p.m.
Contact Jack Wallace at
549-3151 for more details.

REP TIER

A positive season for the majority of our teams this year. All our 'AA' teams finished 1st or 2nd in their respective divisions. In the 'AAA' group only 1 team did't finish 1st, 2nd or 3rd after regular season play.

At the time of publication all teams are into OMHA Playdowns and we wish each of them the best of luck as they strive to become Provincial and possibly National Champions.

CONSTITUTION AND BY-LAW CHANGES

Our committee is currently meeting to look over current regulations and changes suggested for next season.

Your ideas are always welcome. Please contact the chairman - Gary Baker - at 547-0130 to submit your recommendations.

HUB ACCEPTANCE

We have received a request from Dofasco Minor Hockey to enter a team in the Midget Division for the 1992-93 season.

Some details have been discussed but it appears that we shall welcome them as members in this Division and possibly more Dofasco teams in the future.

Rumour also has it that 1 or more of our RHL Associations are considering adding a team or two to the HUB program.

REC - HUB MEETING

A meeting was held on Jan 23 to examine the working relationships between the two groups. Problems were put on the table and some positive suggestions made.

A 4 member committee will be bringing back suggestions and recommendations as we react to better serve our members.

BRABANT COLUMN

Have you seen it yet ? It should appear every week in the community newspapers. Most of our groups elected to participate and hopefully you will be better able to follow the Minor Scene in Hamilton.

ARENA REPAIRS

Lawfield closes in early April for new glass and removal of the 'lip' on the West Side. (seating area)

Rosedale also closes for new glass, new boards and the removal of their 'lip'.

Repairs should contribute to a safer playing surface and less stoppage in play from stray pucks. Spectators should get a better view with the horizontal bars disappearing.

All we need now is a legible clock for Lawfield ! Donations anyone ?

CARDING HOUSE LEAGUES

The idea has once again surfaced and we will once again be looking at the pros, cons and costs involved.

If you have any information or views that might make our decision a little easier please be sure to pass them along (preferably in writing) to your local Association or Tier President. Your input as parents and players is solicited and very much appreciated.

SKYBOX LOTTERY

Got your tickets for opening day in a Skydome Box complete with transportation and refreshments ? We have 13 sets of tickets to give away.

This is a Council fundraiser with the proceeds going to those who participate and to our Technical Development Program's library and equipment stock.

LIBRARY

In response to your requests we are currently spending another $ 1,000 or so to ungrade our library and to obtain additional copies of heavily requested videos and books.

We have also ordered some computer software (I.B.M. compatible) for keeping stats and other management programs.

A new list will be made available as soon as possible to each RHL and Tier but if you want to borrow anything just call our Librarian, Ron Hamilton at 387-3128, ask for his wife Janet, and she'll put you on the loaner list.

UPCOMING CLINICS

NOTE - DATES ARE TENTATIVE

INTERMEDIATE COACH - May/June depending on demand and ice
LEVEL 1 COACH - September 26, 27, 1992
OMHA OFFICIALS - September 19, 1992
- Level 1 or 201
OMHA TRAINERS - September 22, 1992

Contact: Gary McFarlane at 527-6838 to get your name on the list for any of the above clinics. No cost to our members.

Also Planned

Our Technical Development Committee can arrange in late October or November to provide the following opportunities:

H.M.H.C. OFFICIALS CLINIC - for those that want to start officiating at the REC LEVEL.

C.A.H.A. COACHES INITIATIVE CLINIC - designed for 1st time coaches to help you get into it with some confidence and some ideas on how to run a practice, drills to suit players of different ages and abilities, etc.

We need to know now to make arrangements for ice, rooms and qualified instructors. Make sure you contact your Association's President to get on the list before this season is finished. September is too late to plan. No cost to our members.

ANNUAL MEETINGS

All Recreational Hockey Leagues are required to hold Annual Meetings for their members.

Please get involved by attending the meetings and addressing any concerns or submitting any ideas for improvement. We exist as volunteer groups to provide programs that answer the needs and wants of our participants. Make sure we know how to serve you - come and share your knowledge with us and learn just what is involved with running a Minor Hockey Program.

VOLUNTEERS

The age old question. Who's going to do the work ?

Got some skills, got a few occasional hours that would be better spend helping youth that watching T.V. ?

We want your help - we can steer you in the right direction. Become a contributor. Let your local group that you're available.

SPONSORS WANTED

Got your own business or work for someone you think would like to sponsor a team ?

We are always looking for REP, HUB and REC sponsors who support Minor Hockey and in return pick-up a good deal of publicity and a warm feeling by helping the community.

See your Tier or RHL President before the season ends. Get in on the ground floor before there are no more empty floors.

VOLUNTEER'S BANQUET

Each group has a limited amount of tickets for this event on April 24. See your Tier or RHL President - 1st come - 1st served till they're all gone !

UPCOMING DATES

SUN APRIL 5	- HUB CHAMPIONSHIP DAY - LAWFIELD ARENA : 9am-5pm - ALL DIVISIONS
SAT APRIL 11	- CITY PLAYDOWN CHAMPIONSHIPS - COPPS COLISIUM : 8am-10pm - ALL DIVISIONS - BACK-UP IS MTN ARENA
MON APRIL 6	- REP - 'AAA' & 'AA' TRYOUTS BEGIN - SEE ARENA BULLETIN BOARDS IN MARCH FOR INFO ALSO 'SPEC' LOCAL SPORTS
WED APRIL 22	- HAMILTON MINOR HOCKEY COUNCIL - GENERAL MEETING : 7.30 - WESTMOUNT SCHOOL AUDITORIUM
WED MAY 20	- HAMILTON MINOR HOCKEY COUNCIL - ANNUAL MEETING : 7.30 P.M. - SIR ALLAN MACNAB AUDITORIUM
SAT SEPT 12	- REGISTRATION FOR REC AND HUB - ALL ARENAS EXCEPT INCH - 9 A.M. - 1 P.M.
SUN SEPT 13	- HUB TRYOUTS BEGIN - TIMES ON ARENA BOARDS FOR SEPT 12-WATCH 'SPEC' SPORTS
SEPT 19	- OMHA OFFICIALS CLINIC
SEPT 22	- OMHA TRAINERS CLINIC
SEPT 26-27	- OMHA LEVEL COACHES CLINIC
OCT-NOV ?	- H.M.H.C. CLINIC FOR HOUSE LEAGUE OFFICIALS
OCT-NOV ?	- CAHA COACHES INITIATIVE CLINIC

KEEP FOR REFERENCE

7.

GOVERNMENT FINANCE
OFFICERS ASSOCIATION

180 North Michigan Avenue, Suite 800, Chicago, Illinois 60601
312/977-9700 • Fax: 312/977-4806

February 12, 1992

Mr. Lou Sage
Chief Administrative Officer
Corporation of the City of Hamilton
71 Main Street West
City Hall
Hamilton, Ontario L8N 3T4

Dear Mr. Sage:

I am pleased to notify you that the Corporation of the City of Hamilton has received the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement by your organization.

Your government's plaque will be shipped under separate cover to Mr. Ed C. Matthews, who originally submitted the budget for consideration. We hope you will arrange for a formal public presentation of the award, and that appropriate publicity will be given to this notable achievement. A press release is enclosed for your use.

We appreciate your participation in GFOA's budget awards program. Through your example, we hope that other governments will be encouraged to achieve excellence in budgeting.

Sincerely,

Jeff Esser

Jeffrey L. Esser
Executive Director

JLE/af

Enclosure

WASHINGTON OFFICE
1750 K Street, N.W., Suite 200, Washington, D.C. 20006
202/466-2750 • Fax: 202/429-2755

GOVERNMENT FINANCE
OFFICERS ASSOCIATION

180 North Michigan Avenue, Suite 800, Chicago, Illinois 60601
312/977-9700 • Fax: 312/977-4806

February 12, 1992

P R E S S R E L E A S E

RELEASE IMMEDIATELY

For Further Information Contact
Dennis Strachota (312) 977-9700

****

CHICAGO--The Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that the Corporation of the City of Hamilton, Ontario has received GFOA'S Distinguished Budget Presentation Award for its budget. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant accomplishment by the management and elected officials of the Corporation of the City of Hamilton, Ontario. To receive the award, governments submit their budget document for review by a panel of independent budget experts. Using extensive criteria, the reviewers evaluate the effectiveness of the budget as:

- A policy document
- A financial plan
- An operations guide
- A communication device

Award-winning documents must be rated 'proficient' in all four categories.

Since 1984, over 500 governmental entities have received the Distinguished Budget Presentation Award nationwide. Winning entries represented truly pioneering efforts to improve the quality of budgeting and provide excellent examples for other governments throughout North America.

The Government Finance Officers Association is a nonprofit professional association serving 9,500 government finance professionals throughout North America. Over 11,000 governments participate actively in the association's activities. The association produces a variety of technical publications in various fields of governmental finance, and represents the public finance community in Washington, D.C. The association provides numerous training opportunities, and conducts an annual conference attended by over 3,000 public finance professionals.

WASHINGTON OFFICE
1750 K Street, N.W., Suite 200, Washington, D.C. 20006
202/466-2750 • Fax: 202/429-2755

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1992 and respectfully recommends:

1. (a) That emergency repairs to the exterior concrete structure covering the basement portion of the 1913 Building at the Museum of Steam and Technology be approved for an amount not to exceed $20,000.00.

   (b) That the Finance and Administration Committee be requested to recommend the method of financing.

2. That approval be given to the Hamilton Military Museum to celebrate the 125th anniversary of Confederation by staging a performance of the Hamilton Militia District Tattoo in Dundurn Park on 1992 July 1.

3. That the Department of Culture and Recreation be authorized to confirm the hosting of the 1994 Children's International Games and send representation to the March meetings being hosted by the International Olympic Committee.

4. (a) That an Offer to Purchase (Easement) Agreement attached hereto as Appendix "A" executed by Regional Officials on 1992 February 10 and scheduled for closing on or before 1992 April 27 for the purchase of an Easement from the City of Hamilton for the construction and maintenance of a Storm Water Management Facility on City lands north of Strachan Street West, west of Bay Street North, shown as Parts 3, 7, 8, 10, 12, 16, 17, 18, 19, 22 and 23 on Plan RC-H-346 Surveys, containing 4.27 acres (1.732 hectares), be approved and completed and the sale price of $418,000.00 be credited to Account No. CF5200 419254001 (Harbourfront Park Remediation).

(b) That the Offer to Purchase be subject to and include the following conditions:

i. The Region will rehabilitate and enhance the site in accordance with the landscaping plan prepared by the Public Works Department at the sole cost of the Region as a component of the facility development.

ii. The structure to be constructed on this site will be suitable to support the number of parking spaces shown on the landscaping plan prepared by the Public Works Department.

iii. The Region will restore the existing pumping station shown on Part 16 of the plan to aesthetically complement the surrounding area to the satisfaction of the Director of Public Works.

iv. Public and vehicular access to the Macassa Bay Yacht Club will be maintained at all times.

v. The facility will be buried.

vi. The facility will be maintained to eliminate any aroma at all times.

vii. The Region will proceed to an open-house meeting to receive public input and report back to the Parks and Recreation Committee.

viii. The granting of this easement over Parts 3, 7, 8 and 10 on Plan RC-H-346 Surveys is conditional upon the passing of a by-law to stop up and close Simcoe Street, shown as Parts 3 to 11 inclusive on Plan RC-H-346 Surveys and to authorize the sale of an easement over Parts 3 to 11 inclusive.

ix. The overflow outlet is to be directed through Parts 22 and 23 into the channel between the former Lax property and the C.N.R. lands from the said Storm Water Management Facility.

x. The Purchaser will satisfy itself on or before 1992 March 16 that the physical attributes of the lands (including, without limitation, soil and building conditions, drainage, the presence of hazardous materials and environmental concerns) are satisfactory to it.

xi. The Purchaser agrees to repair promptly any damage caused by soil tests and assumes all risk, costs, liability and expense, directly resulting from the said soil tests.

xii. The Purchaser agrees that the said terms shall not merge on closing but continue in full force and effect to the benefit of the Vendor.

xiii. The Purchaser covenants to use its reasonable efforts to satisfy these conditions in a diligent manner and Vendor covenants and agrees to cooperate fully in that regard, including without limitation, to permit the Purchaser access to the lands to make soil tests and to permit free and unrestricted inspection or inspections of the lands and to provide such material and information in the possession of the Vendor relating the lands (and such further assurances as the Purchaser may reasonably require).

xiv. If the Purchaser determines in its sole discretion that any of these conditions cannot be satisfied and the Purchaser is not willing to waive such conditions, then the Purchaser may terminate this Agreement by delivering on or before 1992 April 21, written notice to the Vendor and the Purchaser shall not be liable for any damages or costs and the Vendor shall return the Purchaser's deposit in full.

(c) That an Authority to Enter Agreement executed by Regional Officials on 1992 February 10 for the purpose of receiving immediate possession of the property to commence construction, be approved and completed.

(d) That the Senior Director of Roads be authorized to proceed with the necessary steps to close that potion of Simcoe Street West, shown as Parts 3 to 11 inclusive on Plan RC-H-346 Surveys.

(e) That the Senior Director of Roads be authorized to proceed with the necessary steps to establish Parts 1, 5, 14, 20, 21 and 25 on Plan RC-H-346 Surveys as a public highway.

(f) That Section 8 (b) of the TWENTIETH Report of the Parks and Recreation Committee, approved by City Council on 1991 October 29, be rescinded.

(g) That the Director of Property be authorized to negotiate the discharge of right-of-ways shown as Parts 18, 19, 23 and 24 on Plan RC-H-346 Surveys from C.N.R., after the establishment of Parts 1, 5, 14, 20, 21 and 25 on Plan RC-H-346 as a public highway.

(h) That the Mayor and City Clerk be authorized to execute the necessary document.

5. That the 1992 Capital Budget Submission "Harbourfront Park Remedial Action" be reduced from $2,235,340.00 to $1,600,000.00 subject to:

(a) all interest revenues accrued upon the provincial funding grant of $7.5 million for the remediation of the Harbourfront Park being credited to Account No. CF5200 419254001 Harbourfront Park Remediation; and

(b) the $418,000.00 in revenue from the sale of the easement by the City to the Region for the construction of the Storm Water Management Facility on the lands north of Strachan Street West, west of Bay Street North, being credited to Account No. CF5200 419254001 Harbourfront Park Remediation.

6. (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Federal Department of Fisheries and Oceans such that the City will undertake fish habitat restoration in the littoral zone of the shorelines of Pier 4 and Harbourfront Parks and the Federal Department of Fisheries and Oceans will contribute $90,000.00 from the Great Lakes Clean-up Fund, towards the habitat restoration.

(b) That the Treasury Department establish an account to which the Federal Department of Fisheries and Oceans funds will be deposited.

(c) That the Mayor and the City Clerk execute the contract on behalf of the City.

(d) That the City of Hamilton endorse the Fish and Wildlife Restoration Project as a desirable component of the rehabilitation of Hamilton Harbour.

7. That with respect to the non-residential land expropriated by Expropriation Plan 95902 registered 1991 September 6, for park purposes pursuant to Expropriation By-law No. 91-155 enacted on 1991 August 28, the City Clerk is authorized and directed to:

(a) Sign and serve Notice in accordance with Section 39 of the Expropriations Act, R.S.O. 1990, C.E-26, that possession of the expropriated land is required;

(b) Sign and serve Offers of Compensation in accordance with Section 25 of the Expropriations Act for the expropriated land as follows:

$98,000.00	Former Owners	- Samuel J. Sable and Nathan Lieberman
	Encumbrancer	- The Canadian Bank of Commerce
	Registered Lessee	- Montex Apparel Industries Limited
	Encumbrancer	- The Royal Trust Company

8. For the information of the Members of City Council, the Parks and Recreation Committee at its meeting held 1992 February 18 made the following appointments to the Sub-Committees under its jurisdiction:

(a) Arts Advisory Sub-Committee

i. Mayor Robert M. Morrow to fill the existing Council vacancy on the Arts Advisory Sub-Committee.

ii. The following citizens to serve on the Arts Advisory Sub-Committee for a term to expire 1994 November 30:

- Robert C. Challé
- Jessica Davenport
- Joe Gaul
- Glenn Mallory
- Janna Malseed
- Robert V. Mason
- Carmen Nemeth
- Dolores Prendergast
- Chuck Renaud
- Irene Sushko
- Vitek Wincza

(b) New Crystal Palace Sub-Committee

i. The Mum Show Committee appointments to the New Crystal Palace Sub-Committee increase from 4 to 5 members.

1992 - 1994 Mum Show Committee Appointments:

- Ina McKee (Chairperson - Mum Show Committee)
- Eleanor Morrow
- Don Muir
- Ernie Seager
- Isabelle Smith

ii. The following citizens to serve on the New Crystal Palace Sub-Committee for a term to expire 1994 November 30:

- Alan Bowler
- John Crawford
- David Gerrie
- Pat Greenaway
- Dave MacLennan
- Joan Renison

(c) Hamilton Historical Board

The following citizens to serve on the Hamilton Historical Board for a term to expire 1994 November 30:

- Margaret Anderson-Herrmann
- Gordon Birk
- Nadja Ciuriak
- David Doherty
- Brad Gibb

(d) Parks and Recreation Citizens' Advisory Sub-Committee

The following citizens to serve on the Parks and Recreation Citizens' Advisory Sub-Committee for a term to expire 1994 November 30:

- John Bellio
- John Byl
- Andrew Crawford
- Jim Galvin
- Frank Hickey
- John Kiriakopoulos
- Sergio Manchia
- Greg Peitchinis
- Joan Rapsavage
- Andy Skrypniak

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1992 February 18

Appendix "A" as referred to in Section 4 of the FOURTH Report of the Parks and Recreation Committee for 1992 ..

OFFER TO PURCHASE
(EASEMENT)

I/We **REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**, of the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON, hereinafter called the Vendor,

to purchase an easement for the purpose of construction and maintenance of a Regional Storm Water Management Facility, which easement shall be all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of Part of Simcoe Street, Part of Blocks 33, 34 and 35, Registered Plan 127 and Part of Lot 16, Concession 1, formerly in the Geographic Township of Barton, now in the city of Hamilton, located north of Strachan Street West, west of Bay Street North, shown as Parts 3, 7, 8, 10, 12, 16, 17, 18, 19, 22 and 23 on Plan RC-H-346 Surveys containing 4.27 acres (1.732 hectares).

Forming part of this Offer to Purchase (Easement) are Schedule(s) A, B and C attached hereto.

The purchase price of Four Hundred and Eighteen Thousand——————DOLLARS ($418,000.00) with interest as hereinafter provided, and subject to adjustments, is payable by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 3rd day of March 1992, by a letter mailed or delivered to the Purchaser c/o Mr. R. Roszell, Commissioner of Legal Services, 1 James Street South, 8th Floor, Hamilton, Ontario L8P 4R5.

2. In the event that this Offer is not accepted, this offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.

3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.

4. The title is good and free from all encumbrance, except as to any registered restrictions or covenants.

5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.

6. The Purchaser is to be allowed until the date of April 15, 1992 to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.

7. This transaction shall be closed on or before the 27th day of April, 1992.

8. On the closing of this transaction, the Vendor will convey the said easement to the Purchaser by a good and sufficient grant thereof, free and clear of all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said easement to the Purchaser.

9. This agreement and its acceptance is to be read with all changes of gender or number required by the context.

10. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.

11. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the Region's, by means of the Region's uncertified cheque.

12. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under the Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

13. It is understood and agreed that the Transferor shall reserve unto itself, its heirs, successors, and assigns the irrevocable right to grant such further and other easements as from time to time the Transferor sees fit.

14. The Vendor shall, after the full execution of this agreement, execute with the Purchaser the Authority to Enter in the form annexed hereto as Schedule "B".

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at City of Hamilton this 10th day of February 1992.

SIGNED, SEALED AND DELIVERED

in the presence of

LK

... CLERK
... BY COUNCIL
... February 4/92
... ITEM 25 SC
... YEAR/FILE 92-082

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

)
)
)_____(Seal)
)CHAIRMAN
)
)_____(Seal)
)REGIONAL CLERK
)
)_____(Seal)
)COMMISSIONER OF FINANCE

THE CORPORATION OF THE CITY OF HAMILTON

)
)
)_____(Seal)
)MAYOR
)
)
)_____(Seal)
)CITY CLERK
)
)
)_____(Seal)

(150-0.0 revised October, 1990)

Property

North of Strachan West
west of Bay Street North

It is understood and agreed that:

1. the Region will rehabilitate and enhance the site in accordance with the landscaping plan attached hereto prepared by the Public Works Department at the sole cost of the Region as a component of the facility development.

2. the structure to be constructed on this site will be suitable to support the number of parking spaces shown on the landscaping plan prepared by the Public Works Department.

3. the Region will restore the existing pumping station shown on Part 16 of the plan to aesthetically complement the surrounding area to the satisfaction of the Director of Public Works.

4. public and vehicular access to the Macassa Bay Yacht Club will be maintained at all times.

5. the facility will be buried.

6. the facility will be maintained to eliminate any aroma at all times.

7. the Region will proceed to arrange an open-house meeting to receive public input and report back to the Parks and Recreation Committee.

8. the granting of this easement over Parts 3, 7, 8 and 10 on Plan RC-H-346 Surveys is conditional upon the passing of a by-law to stop up and close Simcoe Street, shown as Part 3 to 11 inclusive on Plan RC-H-346 Surveys.

9. the overflow outlet is to be directed through Part 22 into the channel between the former Lax property and the C.N.R. lands from the said Storm Water Management Facility.

10. a) the Purchaser will satisfy itself on or before March 16, 1992, that the physical attributes of the lands (including, without limitation, soil and building conditions, drainage, the presence of hazardous materials and environmental concerns) are satisfactory to it.

    b) the Purchaser agrees to repair promptly any damage caused by soil tests and assumes all risk, costs, liability and expense, directly resulting from the said soil tests.

    c) the Purchaser covenants to use its reasonable efforts to satisfy these conditions in a diligent manner and the Vendor covenants and agrees to cooperate fully in that regard, including without limitation, to permit the Purchaser access to the lands to make soil tests and to permit the Purchaser access to the lands to make soil tests and to permit free and unrestricted inspection or inspections of the lands and to provide such material and information in the possession of the Vendor relating to the lands (and such further assurances as the Purchaser may reasonably require).

d) if the Purchaser determines in its sole discretion that any of these conditions cannot be satisfied and the Purchaser is not willing to waive such conditions, then the Purchaser may terminate this Agreement by delivering on or before March 16, 1992, written notice to the Vendor and the Purchaser shall not be liable for any damages or costs and the Vendor shall return the Purchaser's deposit in full.

Dated at the City of Hamilton this 10th day of February 1992

WITNESS:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

CHAIRMAN

REGIONAL CLERK

COMMISSIONER OF FINANCE

THE CORPORATION OF THE CITY OF HAMILTON

MAYOR

CITY CLERK

OFFICE OF THE CLERK
APPROVED BY COUNCIL
DATE February 4/92
REPORT 1 92 2 ITEM 28 TSC
INIT. YEAR/FILE 92-C8

AUTHORITY TO ENTER

TO: **THE CORPORATION OF THE CITY OF HAMILTON**

WHEREAS THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

(hereinafter referred to as the "Purchaser") has agreed to purchase from The Corporation of the City of Hamilton land described in Schedule "C" attached hereto (hereinafter the land and the improvements thereon, if any, referred to as "subject land") pursuant to an Agreement of Purchase and Sale (hereinafter referred to as the "purchase")

AND WHEREAS the Purchaser desires to enter upon the subject land prior to the closing of the purchase;

NOW THEREFORE, this Agreement witnesseth, in consideration of the City's permission to the Purchaser to enter upon the subject land, as of **February 26, 1992**, the Purchaser agrees and covenants to the City, for itself, its successors, assigns, or heirs, as the case may be:

1. that it will not enter upon the subject lands until City Council has approved this Authority to Enter (approval granted on , in adopting Item of the Report of the Committee);

2. that it will not enter upon the subject land except for the purpose of **constructing a Storm Water Management Facility** on the subject land (hereinafter called the "works");

3. that it will assume all costs and expenses resulting from the carrying on of the works;

4. that it will assume all risks resulting from the carrying on of the works and the entry upon the subject land by the Purchaser;

5. that it will at all times indemnify and save harmless the City from and against all actions, causes of action, interests, claims, demands, costs, damages, expenses or loss which the City may bear, suffer or be put to as a result of the privilege herein allowed (including, without limiting the generality of the foregoing, construction lien claims or claims arising by reason of any damage to property or injury or death to persons);

6. that notwithstanding this Authority to Enter, and the carrying on of the works, the purchase referred to above shall be completed and the consideration paid in the same manner and to the same extent as if the City had not given this Authority to Enter to the Purchaser on the subject land and as if the Purchaser had not carried on the works;

7. that the Purchaser has not assigned its Agreement of Purchase and Sale with the City;

8. that in the event that the purchase is not completed by the date set out in the Agreement of Purchase and Sale, or any extension thereof, this Authority to Enter shall immediately terminate, and the Purchaser shall not further enter upon the subject land, and the City shall not be liable to pay or to compensate the Purchaser for costs of any improvements, additions, alterations, services or structures on, in or under the subject land;

9. that the Region shall provide the City with an endorsement from its General Liability Insurance Policy confirming that the City has been named as an additional insured for third party bodily injury and property damage to a limit of not less than $2,000,000.00 per occurrence on claims made or occurrence policy basis and providing that the City hereby grants to the Region, permission to assume deductibles and/or self insured retained limits as the Region may deem necessary from time to time in various amount not to exceed $2,000,000.00.

10. that the Purchaser acknowledges that it is its responsibility to obtain all necessary approvals prior to entering the subject land, including municipal, provincial, federal or other governmental approvals and, including, without limiting the generality of the foregoing, contacting BU DIG, telephone 527-7977.

DATED at the City of Hamilton this 10th day of February 1992.

Signed, Sealed and Delivered in the Presence of:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

CHAIRMAN

REGIONAL CLERK

COMMISSIONER OF FINANCE

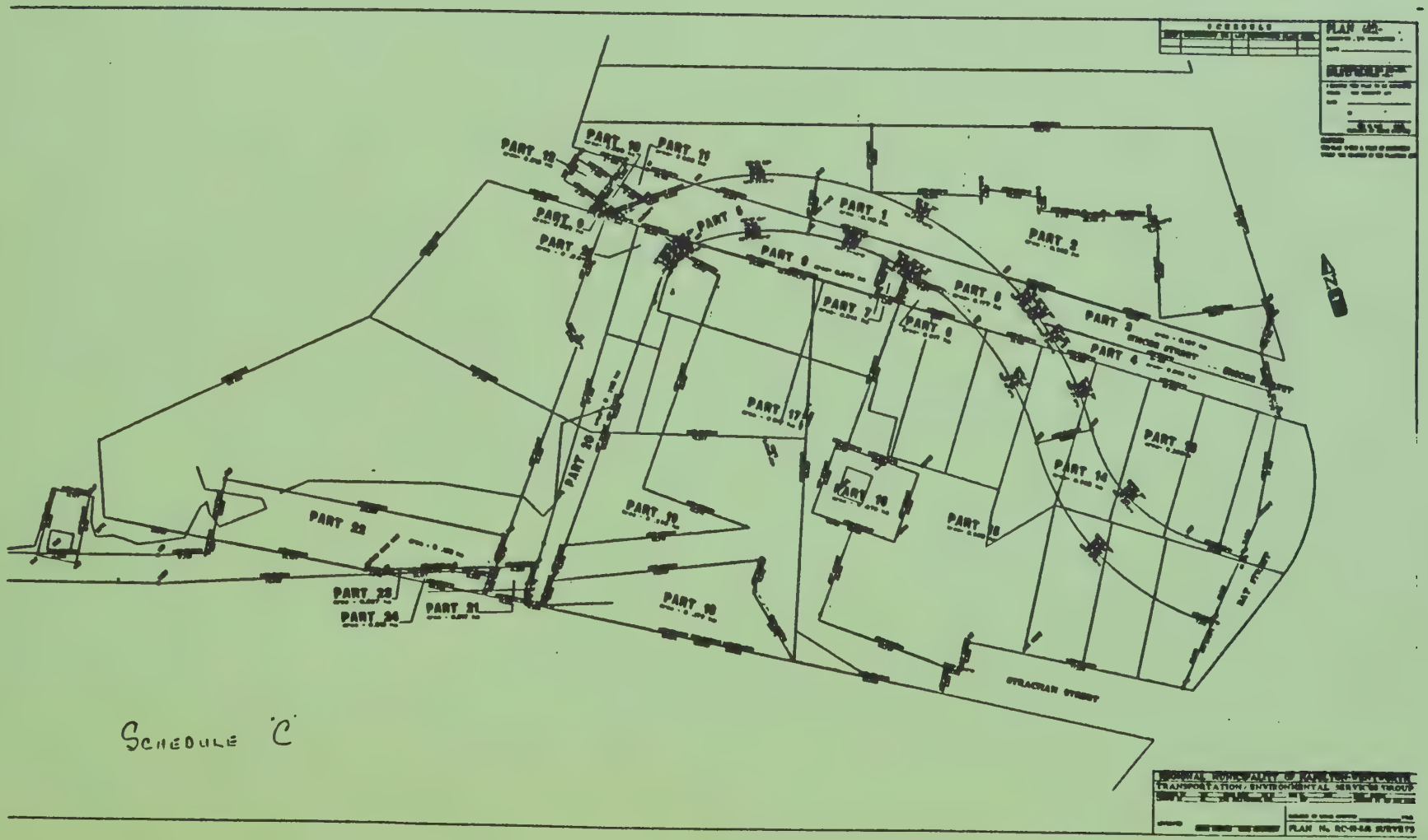
THE CORPORATION OF THE CITY OF HAMILTON

MAYOR

CITY CLERK

OFFICE OF THE CLERK
COUNCIL
Date February 4/92
1-92 ITEM 26 ISC
TITLE 92-C82

10/7/88


PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
PART 7
PART 8
PART 9
PART 10
PART 11
PART 12
PART 13
PART 14
PART 15
PART 16
PART 17
PART 18
PART 19
PART 20
PART 21
PART 22
PART 23
PART 24
STRACHAN STREET

Schedule 'C'

C

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1992 and respectfully recommends:

1. That with respect to the residential land expropriated by Expropriation Plan 79835 registered April 9, 1991, for purposes pursuant to Expropriation By-law 91-043 enacted on March 12, 1991, the City Clerk is authorized and directed to:

   (a) Sign and serve Notice in accordance with Section 39 of the Expropriation Act, R.S.O. 1990, C. E-26, that possession of the expropriation land is required;

   (b) Sign and seve Offers of Compensation in accordance with Section 25 of the Expropriations Act for the expropriated land as follows:

   $71,000.00 - Former Owners - Fedele Intini/Josephine Mary Zardian

2. (a) That the subdivision agreement between 810379 Ontario Inc. and the City of Hamilton registered as Instrument No. 255517 L.T. regarding the "Rushdale Manor" Subdivision, Registered Plan 62M-620, be amended by an amending agreement in a form satisfactory to the Law Department, including the following changes:

   (i) That paragraph 2 of Schedule "J" be deleted;

   (ii) That paragraph 2 of Section XVI - Development Charge at page "ix" be deleted;

   (iii) That reference to Section XVI(2) be deleted from Section XVIII(2) - Financial Arrangements and that the deposit requirements of that Section be reduced accordingly by $5,775.00;

   (ix) That the sum of $5,775.00 being an estimated amount of potential Development Charges for development upon land adjacent to Lots 1 to

8 inclusive on the plan be refunded by the City without interest to 810379 Ontario Inc.; and

(v) That the amending agreement be registered in the Land Registry Office for Hamilton at the expense of the developer, 810379 Ontario Inc.

3. (a) That the City Modified Subdivision Agreement be revised in a form satisfactory to the City Solicitor to include the existing grading policy established in 1988 for subdivisions, as set out in Sections II, VIII and Schedule "D" of the City's Subdivision Agreement, and that $2,000 per lot be retained in the form of a letter of credit as security in the event that the grading is not completed as planned.

(b) That the land owners who currently have completed Modified Subdivision Agreements that have not been executed and returned to the City prior to the adoption of this resolution, be advised that they have fifteen (15) working days following the adoption of this policy to submit their executed documents; otherwise, the Modified Subdivision Agreements will be revised to include the grading provisions.

4. That the Building Commissioner be authorized to issue a demolition permit for 539 Concession Street.

5. That the Buuilding Commissioner be authorized to issue a demolition permit for 1343 Upper Wellington Street.

6. That the Building Commissioner be authorized to issue a demolition permit for 35 Aikman Avenue.

7. (a) That the revised work plan contained in the report "Revised Work Plan - Implementation of Provincial Policy Statement Land Use Planning for Housing", attached herewith and marked Appendix "A", be endorsed; and

(b) That the Minister of Municipal Affairs be advised of City Council's endorsement.

8. A. That approval be given to Site Plan Control Application DA-91-67 to amend DA-90-99 by Taba Developments Ltd., owner, of land on the east side of Upper Ottawa Street, south of Stone Church Road East, for modifications to the site and the expansion of the proposed buildings to the industrial/commercial development subject to the following:

(a) modification to the plan in relation to notes and dimensions as marked in red on the plans;

(b) provision of Reciprocal Agreement and appropriate agreements which will govern the relationship between the existing development to the north and the individual phases of development on the subject land;

(c) provision of a note on the plan to indicate the requirement of approval by the Committee of Adjustment prior to construction of Building "B", to permit a 0.0 m setback from the three boundary lines at the northerly end of the subject lands instead of the required 6.0 m minimum; and further,

B. That approval be given to register plans of Site Plan Control Application DA-91-67 by Taba Developments Ltd., owners, of lands on the east side of Upper Ottawa Street, south of Stone Church Road East, to amend the plans of Site Plan Control Application DA-90-99, registered on title on August 23, 1991 as Instrument No. 306726 Lt.

9. (a) That Item 4(a) of the Second Report of the Planning and Development Committee approved by City Council on 1992 January 28 be amended to read:

That within the International Village B.I.A., the east/west alleyway, between King William and King Street East, from Ferguson Avenue North to Jarvis Street and from Ferguson Avenue North to approximately 50 metres westerly be paved under the Commercial Improvement Programme at an estimated cost of twenty-nine thousand, four hundred dollars ($29,400.) plus contingencies; and,

(b) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.

10. (a) That the Chairman or his designate be authorized to attend the 1992 National Planning Conference to take place on May 9 to 13, 1992 in Washington.

(b) That costs for attendance be allocated to Alderman Travel Account No. CH55201-10010 from the 1992 Operating Budget.

11. That the Commercial Facade Loan approved by City Council for Dr. William Cowan, 640 Concession Street on 1990 December 11 be rewritten at 4% interest rather than 6 5/8%. The $15,000. loan has not been advanced as of this because of problems in the owner obtaining an Encroachment Agreement.

12. That for hardship reasons, the Building Department, Loans Division, refinance a loan under the Hamilton Rehabilitation Loan Programme for Mr. T. Dolan, 31 Frederick Avenue, Hamilton, at 3% interest for another five (5) years rather than the City's prime lending rate.

13. That the request of Second Phase Civic Square Limited, lessee of Phase II, Lloyd D. Jackson Square for the City's approval as lessor to assign the Ground Lease dated November 19, 1975 to Second Phase Enterprises Inc. and to Masbro Development Limited be granted subject to the following:

    (a) that the said two lease assignees enter into the Assignment of Ground Lease Agreement in the form annexed hereto as Appendix "B" (with the City and Second Phase Civic Square Limited) to assume all obligations of Second Phase Civic Square Limited to the City under the Ground Lease and to provide assurances to the City that the assignees will be bound by and perform the Ground Lease;

    (b) that the two lease assignees enter into the "Consent to Assignment of Agreements" - Agreement in the form annexed hereto as Appendix "C" to assume the obligations of Second Phase Civic Square Limited to the City under the agreements listed therein including the Hotel, Interface Agreement and the Bay Street Truck Tunnel Agreement;

    (c) that the City receive the Certificate of an Officer of Second Phase Civic Square Limited and of the two assignees in a form satisfactory to the Law Department confirming that The Standard Life Assurance Company and the shareholders of Yale Properties Ltd. (who together presently control Second Phase Civic Square Limited) each control one of the assignees.

    COPIES OF APPENDIX "B" AND APPENDIX "C" HAVE BEEN FORWARDED TO THE MEMBERS OF COUNCIL UNDER SEPARATE COVER.

14. A. That Planning and Development Committee recommended to Council that the Commission on Planning and Development in Ontario (Sewell Commission) be advised that the City of Hamilton:

    (a) supports the Commission's goals

        (i) on "Common Grounds" in their entirety;

        (ii) of the Urban Working Group, with the exception of goals 2, 4 and 5, under "Goals Regarding Process". Official Plans must be flexible and adaptable to change to reflect the dynamics of the

society in which we live. Goal 3 must be broader to include not just the public, but all the stakeholders, including the public. These goals should support decision making at the level of government closest to the public, and therefore most accountable; and,

(iii) of the Urban Fringe Working Group including goals 1, 2 and 3 (which are applicable to the City of Hamilton);

(b) request the Commission to:

(i) direct the Province to delegate more areas of authority regarding policy development, except where there are issues of Provincial interest (i.e. fruitlands, prime agricultural land), and planning approvals to municipalities.

(ii) review the role of provincial policy statements in the planning process, including ways in which municipalities, the public and other interested parties are, or should be involved in the formulation of policies expressing a Provincial interest;

(iii) develop a statement of purpose for The Planning Act, and identify components of the Act which would be more appropriately placed in a regulation;

(iv) recommend ways in which the processes which govern individual pieces of Provincial legislation could be consolidated to reduce duplication and delay, and to promote good decisions based on a comprehensive examination of the issues;

(v) in consulation with local governments review the planning functions of municipal and provincial agencies, and recommend structural changes which would permit efficient, integrated and effective development and implementation of local policy intiatives and enhance public accessibility within the process at one level of planning;

(vi) investigate ways to enhance the ability of municipalities to implement local policies, such as: providing municipalities with right-of-entry and more effective heritage controls; assisting municipalities in establishing community development corporations or community land trusts; allowing municipalities to provide incentives to encourage environmental protection to other desirable activities; and, permitting/encouraging

municipalities to use innovative financing tools for community renewal projects;

(vii) redefine official plans as visionary and policy documents that address social, environmental and economic issues in a land use planning context;

(viii) provide more direction, through The Planning Act, on the official plan's purpose and philosophy, minimum requirements, specific matters to be addressed, degree of specificity, and relationship to the budget process, and other policy and regulatory documents;

(ix) examine the implications of, and make recommendations on radically restructuring the Ontario Municipal Board and improving time frames for hearings while maintaining the opportunities for objectiveness, fairness and legal rights;

(x) investigate creative ways to improve the development process such as: modifying the notification requirements for Official Plan to be consistent with zoning by-laws; allowing for conditional approvals (e.g. zoning, site plan approval) with a time limit; introducing a time limit for submissions of appeals where Council denies an application; allowing for conditional uses subject to fixed rules/criteria; giving circulated agencies, particularly the Provincial departments, a specific time period to comment on applications; accountability for decisions should be at the lowest level (i.e. Council) with fewer referrals to the Ontario Municipal Board (only where there is a declared Provincial interest); delegating approval process for minor applications (e.g. conversions, parking lots) by a sub-committee or appointed municipal representative;

(xi) investigate ways in which planning legislation, professional planners and private developers could improve opportunities for the community to effectively engage in planning and development in a conciliatory, as opposed to an adversarial manner; and,

(xii) continue the present goal setting exercise within the context of a broader review of the planning system and ways to improve it.

B. That the Clerk be requested to forward this report to the Sewell Commission and the Hamilton-Wentworth Region.

15. That amended Zoning Application 91-40, Frank Toth, Tony DiFranco and Angelo Coca, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit single-family development, on property located at 478 and 488 Rymal Road East, as shown on attached map marked as Appendix "D", be denied for the following reasons:

(a) it conflicts with the intent of the approved Chappel East Neighbourhood Plan which designates the subject lands for "Larger Lots" under the "Single and Double Residential" designation;

(b) Approval of the application would undermine the intent of the approved Neighbourhood Plan and alter the established and future intended character of the area, in that this is one of the few areas in the City identified for "Larger Lots". The protection of these lands would support Council's intent to provide for "a variety of housing styles, types and densities...".

Accordingly, approval of the application would encourage other similar applications which, if approved, would jeopardize the objective of providing for alternative single-family development on "Larger Lots".

16. That approval be given to amended Zoning Application 91-74, Sylvia Tofano, owner, for a modification to the existing "DE-2" (Multiple Dwellings) District regulations to permit a dress shop on the ground floor of the existing building for a property located at 809 Main Street East and 100 Barnesdale Blvd., as shown on the attached map marked as Appendix "E", on the following basis:

(a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 10B(1) of By-law No. 6593 a ladies dress shop shall be permitted only on the ground floor of the existing building;

(ii) That notwithstanding Section 19 (iii) of By-law No. 6593, a dwelling unit having a floor area of at least 65.0 square metres shall be permitted in the cellar rather than the first floor;

(iii) That notwithstanding Section 10B of By-law No. 6593, a pylon sign shall be permitted only in the southerly side yard and having a maximum area of 2.5 square metres; a height not to exceed 4.5 metres with a minimum clearance of 3 metres from the ground to the bottom of the sign; a minimum setback of 1.5 metres from the southerly lot line; and, non-

E

illuminated or illuminated by non-flashing, indirect, or interior means only;

(iv) That notwithstanding Section 10B(6) of By-law No. 6593:

1. the existing front yard adjacent to Barnesdale Blvd. shall be maintained as landscaped space only except for access driveways; and,

2. a minimum 1.5 metres landscape strip shall be provided and maintained adjacent to the southerly lot line except for access driveways;

(v) That a visual barrier not less than 1.2 metres and not greater than 2.0 metres in height shall be provided and maintained along the westerly property line.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1262, and that the subject lands on Zoning District Map E-33 be notated S-1262;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-33 for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

17. A. That approval be given to Zoning Application 91-77, ABD Technology Inc., owner, requesting a modification to the established "M-14" (Prestige Industrial) District regulations, to permit an auto repair garage including autobody fender repair and painting within the existing building, for the property located at 55 Lancing Drive, as shown on the attached map marked as Appendix "F", on the following basis:

(a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(i) That notwithstanding Section 17F(1)(b) of Zoning By-Law No. 6593, the following Commercial Uses shall be permitted:

Commercial Use	Standard Industrial Classification Code

General Repair Garage 6351

Paint and Body Repair Shop 6352

(b) That the amending By-law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-1263, and that the subject lands on Zoning District Map E-59D be notated S-1263;

(c) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council; and,

(d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That the amending By-law not be forwarded for passage by City Council until the shortfall in the required parking from forty-eight (48) to thirty-eight (38) spaces has been finalized through the "Cash-in-Lieu of Parking Policy" and the applicant has completed the required works in accordance with DA-89-02 to the satisfaction of the Building Commissioner.

18. That approval be given to Zoning Application 91-84, Vittorio Ciardullo, owner, for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of a single-family dwelling lot, for property located at 66 Alderson Drive, as shown on the attached map marked as Appendix "G", on the following basis:

(a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;

(b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

19. That Zoning Application No. 91-52, Elio Borchetta, owner, requesting a modification to the established "B-1" (Suburban Agriculture and Residential, etc.) District, to permit the established two-family dwelling and a barber shop as a home occupation use, for property located at 52 Heather Road, as shown on the attached map marked as Appendix "H", be not approved.

A MOTION TO APPROVE THIS ZONING APPLICATION WAS DEFEATED ON A TIE VOTE AT THE PLANNING AND DEVELOPMENT COMMITTEE MEETING OF 1992 FEBRUARY 19.

20. That the appropriate staff be directed to represent the City of Hamilton at the scheduled Ontario Municipal Board Hearings for Committee of Adjustment Applications A-90-306, A-90-319 and A-90-374.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

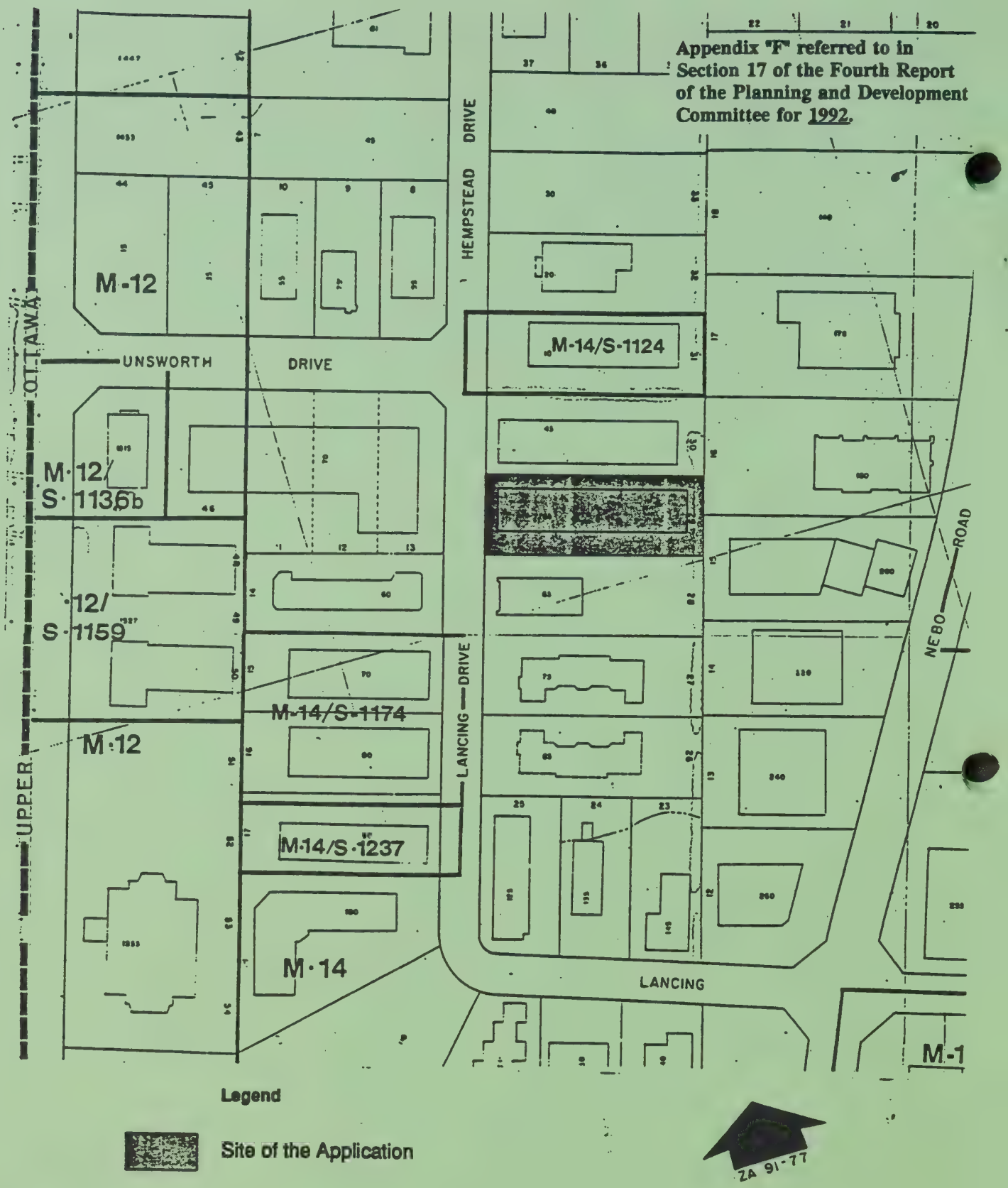
Tina Agnello
Secretary
1992 February 25

Appendix "A" referred to in Section 7 of the Fourth Report of the Planning and Development Committee for 1992.

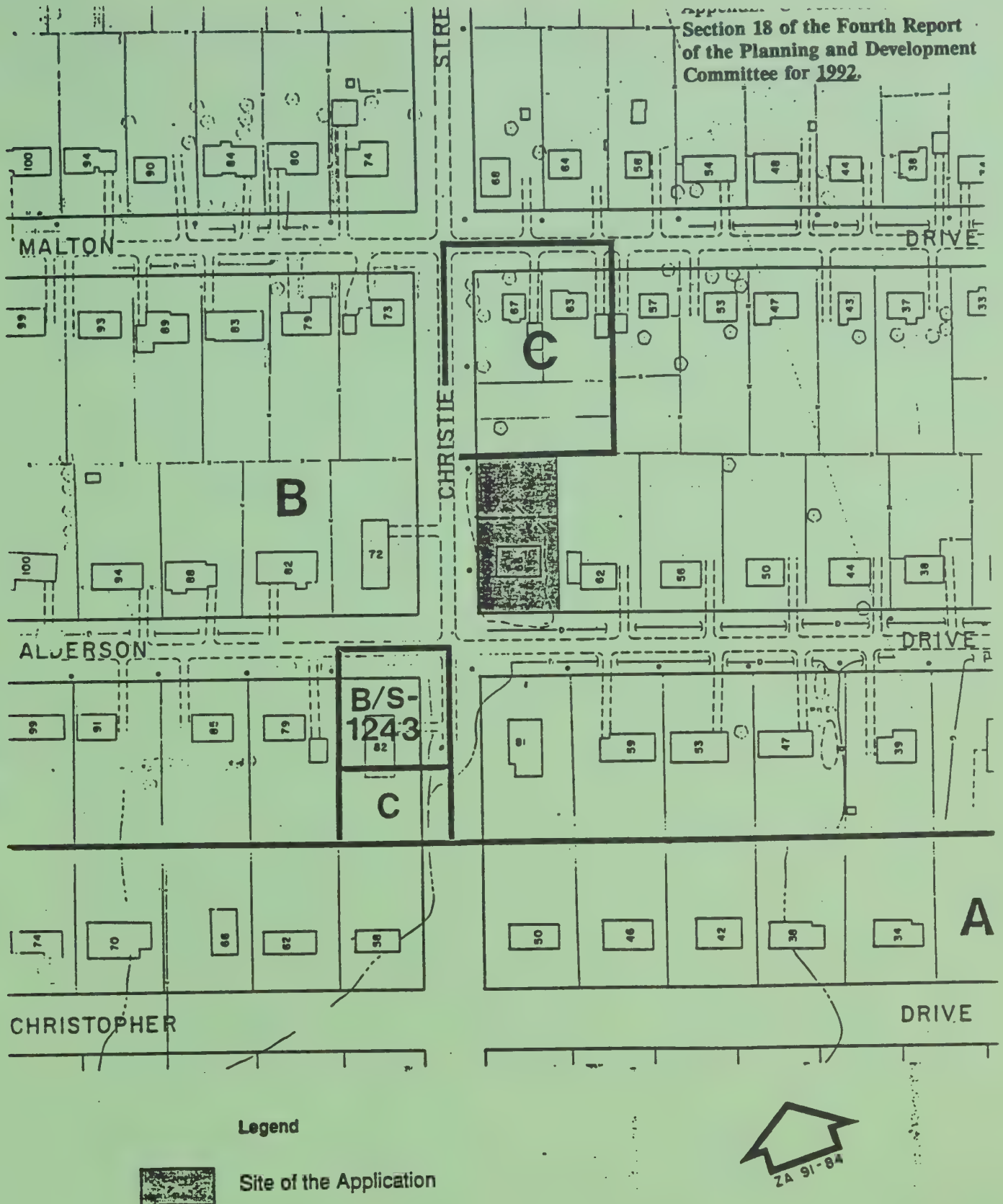
APPENDIX A

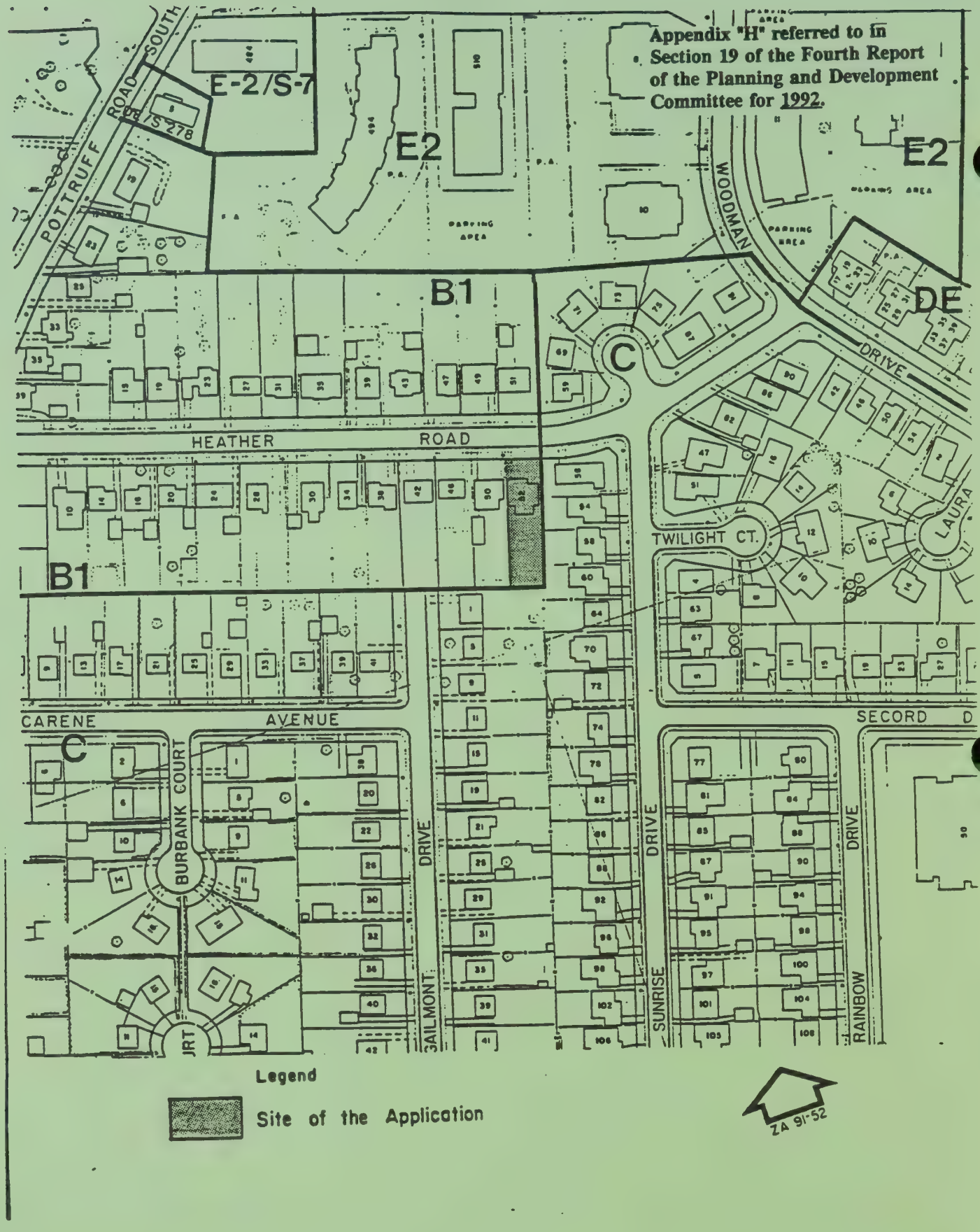
TIMING OF REVISED WORK PLAN
CITY OF HAMILTON
IMPLEMENTATION OF PROVINCIAL POLICY STATEMENT
LAND USE PLANNING FOR HOUSING

Date	Relevant Actions
February 19	The draft 1992 City of Hamilton Municipal Housing Statement Update forwarded to Planning and Development Committee; request for authorization to hold an information meeting on February 27.
February 27	Information Meeting on City's 1992 Municipal Housing Statement Update.
April 8	Public Meeting of the Planning and Development Committee to consider: 1) Recommendations of Municipal Housing Statement Update, including Official Plan Amendment as per the requirements of Policy Statement Land Use Planning for Housing; 2) Report on potential streamlining features and enhancements to the planning process in Hamilton; and, 3) The 1991 Year-End Hamilton Housing Market Monitoring Report.
April 14	City Council to consider: 1) Recommendations of Municipal Housing Statement Update, including Official Plan Amendment as per the requirements of Policy Statement Land Use Planning for Housing; 2) Report on potential streamlining features and enhancements to the planning process in Hamilton; and, 3) The 1991 Year-End Hamilton Housing Market Monitoring Report.
April 28	By-law of adoption for the Official Plan amendment arising from the Municipal Housing Statement Update before City Council.


Appendix "F" referred to in Section 17 of the Fourth Report of the Planning and Development Committee for 1992.
HEMPSTEAD DRIVE
UNSWORTH DRIVE
OTTAWA
UPPER
LANCING DRIVE
LANCING
NEBO ROAD
M-12
M-12/S-1136b
12/S-1159
M-12
M-14/S-1124
M-14/S-1174
M-14/S-1237
M-14
M-1
Legend
Site of the Application
ZA 91-77

Section 18 of the Fourth Report of the Planning and Development Committee for 1992.




Appendix "H" referred to in
Section 19 of the Fourth Report
of the Planning and Development
Committee for 1992.
E-2/S-7
E2
E2
B1
B1
C
C
DE
POTTRUFF ROAD SOUTH
WOODMAN DRIVE
HEATHER ROAD
TWILIGHT CT.
LAURA
CARENE AVENUE
SECORD D
BURBANK COURT
DRIVE
DRIVE
DRIVE
SUNRISE
RAINBOW
Legend
Site of the Application
ZA 91-52

E

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1992 and respectfully recommends:

1. That the Cab Driver Licence application of Steven Rowe, 53 Holmes Avenue, Hamilton, be denied for a three month period to commence 1992 February 25, following which Mr. Rowe may re-apply.

   For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1992 February 12 recommended that the foregoing licence application be denied on the grounds of the applicant's extensive driving record. (Further information can be obtained from the Secretary.)

2. That the Cab Driver Licence application of Mohammad Ahmed, 177 Templemead Drive, Hamilton be denied for a three month period to commence 1992 February 25, following which Mr. Ahmed may re-apply.

   For the information of member of City Council, the City of Hamilton Licensing Committee at its meeting of 1992 February 12 recommended that the foregoing licence application be denied on the grounds of the applicant's extensive driving record. (Further information can be obtained from the Secretary.)

3. That the appeal by Leonard A. Siemko, Box 249, Clarksburg, Ontario to remain on the Taxi Cab Priority List be denied.

   Mr. Siemko appeared before the City of Hamilton Licensing Committee on 1992 February 12, together with his legal representative, and submitted that he failed to renew his name on the Taxi Cab Priority List by the 1991 September 30 deadline because he had not received his courtesy reminder letter. He submitted a letter from Canada Post Corporation confirming that there had been a mail disruption between 1991 August 22 and September 20.

The Committee considered Mr. Siemko's appeal and noted that the reminder letter was sent as a courtesy only and that it was the applicant's responsibility to renew his name on the list as provided for in the By-law 89-249. It was also noted that Mr. Siemko had knowledge of the requirement to renew having received the registered letter from the City in 1989 advising of this requirement and had in fact renewed his name on the list in 1990.

The City of Hamilton Licensing Committee therefore recommended that the appeal be denied on the grounds that the Committee were not satisfied that there were compelling reasons presented for Mr. Siemko's reinstatement on the Taxi Cab Priority List.

RESPECTFULLY SUBMITTED

ALDERMAN T. COOKE, CHAIRMAN
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover
Secretary

1992 February 12

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1992 and respectfully recommends:

1. That the following constitute the membership of the Mayor's Race Relations Committee for a term to expire 1994 November 30:

Mayor R. M. Morrow
Alderman M. Kiss
Alderman F. D'Amico
Sharon Bonham
Marc Haas
Harish Jain
Mel Madamba
Monty Motamura
Marlene Osbourne
Santokh Pooni
William Shaffir
Geoffrey Small

Six of whom (yet to be determined) will also sit on the Mayor's Race Relations Advisory Council.

2. That the following constitute the membership of the Mayor's Race Relations Advisory Council for a term to expire 1994 November 30:

Angie Armstrong
Ken Balasubramanium
Linda Bigford
Sharon Bonham
Ivan Boyko
Tyrone Childs
Bill DeLisser
Patrick Fung
Evelyn Gallaher
Stephanie Grotmann
Marc Haas
Rhoda Howard
Harish Jain
Mervyn Jobity
Doreen Johnson
Jacob Joseph
Ramanath Kamath
Phil Leon
Cyril Levitt
Win Lipman
Phemon Ma
Mel Madamba
Ramzan Manek
Mary McKenzie
Monty Motamura
Marlene Osbourne
Gary Ostofi
Edward Partito, Jr.
Leslie Pasis
Santokh Pooni
Helen Probert
Andrea Rado
William Shaffir
Geoffrey Small
Ken Stone
Michael Webber
Sandra Wilson
(1) To Be Determined

3. That the following constitute the non-voting Resource Persons to the Mayor's Race Relations Advisory Council and to the Mayor's Race Relations Committee for a term to expire 1994 November 30:

City of Hamilton - Human Resources Centre	-	Jayne Munroe
Canadian Union of Public Employees	-	Fred Loft
Hamilton-Wentworth Regional Police	-	Insp. Tom Marlor
	-	Sgt. Greg Hamilton
Hamilton Board of Education	-	Steve Barrs/ LeRoy Beach
Hamilton-Wentworth Roman Catholic Separate School Board	-	Eleanor Rodney
Hamilton & District Labour Council	-	Holly Elliott
Hamilton & District Christian Churches Association	-	Rev. George Horton/ A. Tom Leousis
Ontario Human Rights Commission	-	To Be Determined
Ministry of Citizenship - Ontario Anti-Racism Directorate	-	Saleem Yacoub
Royal Canadian Mounted Police	-	Staff Sgt. F.D. Foster
Ontario Provincial Police	-	Supt. R.C. Spicer
	-	Const. Glen Bell

RESPECTFULLY SUBMITTED

MAYOR'S RACE RELATIONS COMMITTEE

Stella Glover
Secretary

1992 February 13

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. That a purchase order be issued to Motorola Canada Ltd., Hamilton, in the amount of $148,253.28 for mobile equipment maintenance during 1992, 1993, 1994 for various departments, being the lowest acceptable of four tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through various accounts.

2. That permission be granted for the use of the Council Chamber on Saturday, 1992 March 14 at 11:00 o'clock a.m., for a presentation ceremony at which time General P.S.A. Todd's family will present the General Crerar tray to the City of Hamilton.

3. That permission be granted to the Mayor's Race Relations Committee to use the City Hall forecourt (or in the event of inclement weather, the Council Chamber) and second floor foyer on Saturday, 1992 March 21 from 10:00 o'clock a.m. - 2:00 o'clock p.m. to celebrate International Day for the Elimination of Racial Discrimination.

4. That the Building Commissioner be designated as the recipient of meeting notices, applications and decisions from the Regional Land Division Committee in lieu of the City Clerk in accordance with Ontario Regulation 406/83 of the Planning Act, R.S.O. 1983.

5. (a) That Civic Gold Rings be awarded to the following members of the Hamilton Spartans Football Club for winning the 1991 Canadian Men's Masters' Championship:

    Kerry Smith
    Whitey Jeffries
    Paul Allingham
    Terry Papp
    Emil Radoslav
    Joe Morrisson
    Rick Lane

(b) That the appropriate diamond/ruby insert for previously awarded gold rings be awarded to the following members of the Hamilton Spartans Football Club for winning the 1991 Canadian Men's Masters' Championship:

Ian Ross	-	ruby insert
Barry Hutton	-	ruby insert
Al Robertson	-	diamond insert
Vic Blicharski	-	diamond insert
Warren Peaks	-	diamond insert
Jeff Brandham	-	diamond insert
David Derbyshire	-	diamond insert
David Hart	-	diamond insert
Karl Seifried	-	diamond insert

6. That a diamond insert for a previously awarded civic gold ring be awarded to Lenore MacDonald for winning the 1991 Masters Figures Division National Championship for Roller Skating.

7. (a) That, consistent with previous years, a grant in the amount of $2,537. be made to the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic Employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce and which will be held on Sunday, 1992 June 14 at Christie Conservation Area.

(b) That this expenditure be financed from the Unclassified Account.

8. That the statement attached hereto and marked as Appendix "A", of the Acting Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1991, be received by City Council.

9. That, as referred to in Item 1 of the Fourth Report of the Parks and Recreation Committee for 1992, that an amount not to exceed $20,000. for emergency repairs to the 1913 Building at the Museum of Steam and Technology, be funded from the "Reserve for Repairs and Improvements to City Property", Centre CH 00109.

10. That the following salary classification be approved:

Position Title	Function	Grade	Salary
Administrative Co-ordinator (Cemeteries) (formerly Administrative Assistant III)	Co-ordinates the arrangement of and payment for burials and disinterments. Provides administrative support to the Manager, Cemeteries Division.	O	$34,001.76 - 39,962.52 per annum

11. That the listing of Appointments To and Terminations From Permanent positions, with the Corporation to 1992 February 10, attached hereto and marked as Appendix "B", be approved.

12. That the Submission from Local 42 of the Communications and Electrical Workers of Canada dated 1991 November 21, entitled "A View for Preserving Universally Affordable Telephone Service", be received.

13. That the monthly mortgage payment due the City from Theatre Terra Nova be reduced for a period of one year commencing 1991 November 1, from the present amount of $1,339. to a new amount of $100. per month on the following conditions:

    (a) That the borrower enters into a Mortgage Amending Agreement with the City;

    (b) That the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year in order to provide the opportunity to satisfy the property tax arrears obligations with the City.

    (c) That the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;

    (d) That the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

14. (a) That the brief and petition dated 1991 October 16, from Allies for Animal Rights recommending that the City of Hamilton enact legislation to prohibit the inclusion of animal acts in all circuses performing in Hamilton, be received.

(b) That the Association of Municipalities of Ontario be requested to investigate the possibility of developing model draft guidelines and regulations to ensure that the highest quality of husbandry and welfare would be consistently provided to circus animals operating throughout the Province of Ontario for presentation and debate at an annual conference.

15. (a) That the Licensing Committee of the City of Hamilton, be authorized to issue municipal licences for the sale of break open tickets for a 6-month trial period, notwithstanding the Lotteries By-law, based on the exemptions provided in the letter dated 1987 March 6, and directed to municipal councils from the Minister responsible for charitable gaming, so long as those exemptions continue to exist, and upon the following conditions:

(i) Except for Provincial Terms and Conditions 3, 4b, and 17b mentioned in the Minister's letter, that applicants for licences comply with all applicable laws and provisions of the Lotteries By-law.

(ii) That licence applicants, requesting exemption to Terms and Conditions 3, 4(b) and 17(b) as part of their application:

(a) file proof satisfactory to the Licensing Committee that the applicant either does not own or regularly occupy premises, or that the premises owned or occupied are impractical for the sale of tickets;

(b) file the signed written consent of the owner or occupier of the premises to be used for the sale of tickets, allowing the sale of tickets for the term of the licence;

(c) file the account number, bank name and branch of the lottery account, and the full names and home addresses of signing officers for the account, specifying whether withdrawals may be made on their signature alone, or with the signatures of other officers;

(d) file a statutory declaration of the applicant, on the form provided by the Licence Division, specifying that no direct or indirect payment is or will be made for the use of premises, property and services involved in the sale of tickets, or otherwise, to the owner or occupier of the premises from which tickets will be sold;

(e) file the statutory declaration of the owner or occupier of the premises from which tickets will be sold, on the form provided by the Licence Division, that no direct or indirect payment has been made, requested or promised from the licence applicant for the use of premises, property and services involved in the sale of tickets, or otherwise, and that no deduction will be made from the proceeds of the lottery when turning over such proceeds to the licence holder, save for cash prizes paid out to winners;

(f) file the signed written approval of the designated member in charge, that they have reviewed the security for tickets and money, and the requirements for the sale of tickets with the owner or occupier of the premises to be used, and have found them satisfactory and responsible;

(g) file sufficient information to allow the Licensing Committee to identify the location for sale of tickets, the placement of the container holding tickets while it is being used for ticket sales, and for the Licensing Committee to approve the location and placement as suitable for the sale of tickets based on security and appropriateness for a lottery.

(iii) That the licence holder file the signed written right of access of the manufacturer and distributor of the tickets to be sold, prior to the sale of any tickets.

(iv) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery undertake to, on a weekly basis:

(a) attend at the commercial or third party location authorized, to pick up the receipts from boxes of tickets sold, and make a record of a reconciliation of the inventory of tickets, and the receipts, with boxes of tickets sold (for this purpose the seller shall not have more than one box of tickets in the jar for sale at any one time);

(b) make an immediate deposit of the receipts obtained under (a);

(c) review the measures being made for the security for tickets and money from the lottery, and take any necessary steps to ensure the receipts from the lottery are obtained and can be applied to the charitable objects listed in the licence.

(v) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery shall undertake to:

(a) produce to the Licence Division, on a monthly basis, the updated bank book for the lottery account, and copies of the reconciliations from (iv)(a) above for the previous month, and cheques for any withdrawals from the account with the reason for the withdrawal noted thereon, and information on the number and location of all boxes of tickets;

(b) advise the police and the Licence Division of the City, immediately upon the discovery of any shortfall of money or tickets by reason of suspected loss or theft;

(c) maintain records of the reconciliations for at least four years after the licence has expired.

(vi) To ensure the separation of funds, not more than 1 licence shall be issued for a location at one time, and for the purposes of clarity, a location shall be deemed to be the entire commercial or third party location under the control of the owner or occupier.

(vii) That as part of the approval process, a licence inspector be designated to attend at the premises to be used for sales, to review with the owner or occupier, the relationship with the licence holder, the applicable terms and conditions, the declaration which has been provided by the owner or occupier, and to assist with questions on the required method of selling tickets.

(viii) That no person or organization shall receive any remuneration for selling tickets.

(ix) That if any terms and conditions are violated, the licence be recommended for suspension or revocation.

(b) That the Licence Division report back to the Licensing Committee following the 6-month Trial Period, with the results of the trial licences issued within that period, and make recommendations on the success of the trial and any proposed amendments to the lotteries by-law.

16. (a) That the City of Hamilton as a member of the Steering Committee of the International Great Lakes St. Lawrence Mayors' Conference contribute up to $5,000. U.S. towards funding of the Secretariat to provide the administrative support and the general secretarial services to the "Mayors' Conference" for 1992.

(b) That this expenditure be financed through the Unclassified Account.

17. (a) That the existing position of Property Officer, Real Estate Division (CPR 114) be eliminated.

(b) That a new position of Senior Property Officer, Real Estate Division (CPR 112) be created and that the upgraded position be funded from within the existing Property Department Budget.

18. (a) That The Corporation of the City of Hamilton accept the offer from Saskatchewan Oil and Gas Corporation (SASKOIL) for the three-year supply of natural gas for all Civic properties at $1.28 per Gigajoule for 1992, $1.30 per Gigajoule for 1993, and to negotiate at market prices for 1994 and if the price can't be agreed upon it shall be set by arbitration;

(b) That the Mayor and City Clerk be authorized to execute the agreements as required which are to be in a form satisfactory to the City Solicitor to provide for the transmission of natural gas between SASKOIL and Union Gas;

(c) That the Mayor and City Clerk be authorized to sign the agreements as required which are to be in a form satisfactory to the City Solicitor to permit SASKOIL to act as agent for The City of Hamilton in negotiations between SASKOIL and Union Gas; and,

(d) That the City Solicitor be authorized and directed to apply to the Ontario Municipal Board for necessary approval.

19. That the terms of employment for School Crossing Guards and Spare Crossing Guards for the years 1992 and 1993, attached hereto as Appendix "C", be approved.

20. (a) That the City of Hamilton become a member of the Canadian Taxi Association for 1992 at a cost of $100.

(b) That this expenditure be financed through the Unclassified Account.

21. (a) That City Council not support the request of the Tivoli Foundation for a loan guarantee from the City in the amount of $100,000.

(b) That the Tivoli Foundation Group continue discussions with the Manager of Purchasing and the Managing Director/C.E.O of H.E.C.F.I., with respect to obtaining useable surplus equipment or material from City facilities, in accordance with the established purchasing policy on disposal of surplus City property.

(c) That the Tivoli Foundation Group continue to seek grants from the upper levels of government, as well as from private subscription.

22. (a) That the City of Hamilton host a reception for the Hamilton International Air Show to be held on 1992 June 20 and 21, at a cost not to exceed $8,000.

(b) That this expenditure be financed through Account No. CH55314 84010 - Special Civic Receptions and Delegation Hosting.

23. (a) That the following Citizen appointments be made to the following Committees that fall under the jurisdiction of the Finance and Administration Committee:

(i) Canadian Football Hall of Fame and Museum Management Committee
(for a term to expire 1994 November 30)

- Paul Curle
- Tony DePaulo
- Margaret Knill
- Mario Vespa

(ii) City of Hamilton Licensing Committee
(for a term to expire 1994 November 30)

- Arthur James Child
- J. R. (Jack) Jones

(iii) Committee of Adjustment
(for a term to expire 1994 November 30)

- Mark Dudzic
- Michael Greenlee
- George Korz
- Bruce Law
- Nirmal Takhar

(iv) Hamilton Civic Hospitals Board of Directors
(for a term to expire 1995 December 31)

- Patricia Mongeon
- Morris Smurlick

(v) Hamilton Entertainment and Convention Facilities Inc.
(for a term to expire 1994 December 31)

- Angelo Di Ianni
- S. Jasper Kujavsky
- J. Cameron Nolan

(vi) Keep Hamilton Clean Committee
(for a term to expire 1994 November 30)

- Paddy Chitty
- William Deeley
- Rick Kozuch
- Ronald Volterman

(vii) Municipal Non-Profit (Hamilton) Housing Corporation
(for a term to expire 1994 November 30)

- Susan Andrews
- Sharon Dale Charters
- Marc Guizzo
- Robert Kronas
- Nancie Mleczko
- Gary Molinaro

(viii) Property Standards Committee
(for a term to expire 1994 November 30)

- John Millar

(ix) Public Library Board
(for a term to expire 1994 November 30)

- Peter Burns
- Trudi Down
- Peter Mitchell
- Peter Rogers
- Anna Sbrissa
- John Syko

(b) That the Regional Municipality of Hamilton-Wentworth be advised that the City recommends the following appointments to the following Regional Committees:

(i) Hamilton Region Conservation Authority
(for a term to expire 1994 November 30)

- Ronald Bowman
- John Burns
- Robert Helwig
- Alan Stacey

(ii) Land Division Committee
(for a term to expire 1994 November 30)

- Lindsay Nelson
- Bill Powell, Sr.
- Carlo Silvestri

24. For the information of City Council, the following appointments have been made to the Hamilton Status of Women Sub-Committee and the Taxi Advisory Committee:

(i) Hamilton Status of Women Sub-Committee
(for a term to expire 1994 November 30)

- M. Angie Armstrong
- Sheila Church
- Schellie Maybee
- Theresa Mensah
- Shirley Molot
- Evelyn Myrie
- Elsie Paget
- Marnie Piggot
- Frank Raso
- Valya Roberts
- Agnes Samson
- Katherine Side
- Christine Templeton
- Janice Tomkins
- May Toth

(ii) Taxi Advisory Committee
(for a term to expire 1994 November 30)

City Council Representatives:	Alderman D. Drury Alderman F. Eisenberger
Taxi Brokerage Representatives:	Mr. Paul A. Devlin Yellow Cab Company Limited
	Mr. Robert A. Esselment Veterans Taxi
	Mr. Craig L. Cutter Blue Line Cab Company
Citizen Representatives:	Betty Mace Stephen Jones Sharon Marafon One Vacancy to be filled shortly
Taxi Industry Professionals:	Michael Anderer Two Vacancies to be filled shortly

25. That leave be granted to introduce the following Bills:

(a) Bill H-14 A By-law to Appoint Joseph J. Schatz City Clerk.

(b) Bill H-15 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson
1992 February 20

Appendix "A" referred to in Section 8 of the SIXTH Report of the Finance and Administration Committee for 1992.

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

(Prepared Persuant to By-Law 79-60 Approved by Council January 29, 1979, By-Law 79-300 Approved by Council October 30, 1979 and Section 243 of the Municipal Act, R.S.O. 1980, Chapter 302)

1. REMUNERATION

(a) Members of Council

	Salary *
Agostino, D.	19,905.87
Agro, V. J.	19,905.87
(2) Anderson, T.	1,528.96
(2) Charters, R.	1,528.96
Cooke, T.	19,905.87
Copps, G.	19,905.87
(2) D'Amico, F.	1,528.96
Drury, D.	19,905.87
(2) Eisenberger, F.	1,528.96
(1) Formosi, V.	18,745.17
(1) Gallagher, J.	18,376.91
(1) Hinkley, B.	18,376.91
Jackson, T.	19,905.87
Kiss, M.	19,905.87
(1) Lombardo, F.	18,376.91
McCulloch, W.	19,905.87
Merling, H.	19,905.87
(2) Morelli, B.	1,528.96
Morrow, R.	63,698.34
(1) Murray, T.	18,376.91
Ross, D.	19,905.87
Wilson, D.	20,274.13
	382,928.78

(1) Term ended November 30, 1991
(2) Term began December 1, 1991
* One-third of these amounts deemed to be "Expenses" in accordance with section 251 of the Municipal Act.

(b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	2,100.00
Law, B.	2,100.00
Mandel, J.	2,100.00
Rocchi, F.	2,100.00
Woods, L. G.	2,600.00
	11,000.00

STATEMENT OF THE TREASURER

(c) License Examining Board

Member	Honorarium
Allick, B.	2,100.00
Allison, H.	900.00
Clothier, R.	200.00
Cooper, H.	1,200.00
Gibson, D.	1,000.00
Green, R.	800.00
Groves, L.	1,100.00
Hewitt, C.	500.00
Holm, M.	900.00
Kaut, H.	1,100.00
Korz, G.	1,200.00
Langdon, D.	1,100.00
MacIntyre, D.	1,100.00
Skinner, J.	600.00
Taffs, R.	1,000.00
Walker, J.	1,000.00
Woodrow, B.	100.00
VanDerbeek, P.	1,200.00
	17,100.00

2. EXPENSES

(Residence telephone allowance, travelling - registration fee, per diem, accommodation, etc., plus local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	4,520.39
Agro, V. J.	541.46
Anderson, T.	13.46 **
Charters, R.	13.46 **
Cooke, T.	1,944.36
Copps, G.	0.00
D'Amico, F.	13.46 **
Drury, D.	2,912.59
Eisenberger, F.	13.46 **
Formosi, V.	451.86
Gallagher, J.	148.01 **
Hinkley, B.	2,961.31
Jackson, T.	161.46 **
Kiss, M.	2,040.98
Lombardo, F.	148.01 **
McCulloch, W.	429.24
Merling, H.	161.46 **
Morelli, B.	13.46 **
Morrow, R.	24,673.68
Murray, T.	386.14
Ross, D.	1,136.26
Wilson, D.	161.46 **
	42,845.97

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

(b) Parking Authority Appointees

Adamson, T.	350.00
Alderman Agro, V. J.	1,884.35
	2,234.35

(c) Public Library Appointees

Church, L.	256.00
Diebel, P.	241.30
Johnson, D.	125.00
MacGillivray, M.	1,934.38
McCulloch, W.	1,846.41
Radigan, R.	292.00
Riley, M.	125.00
Rogers, P.	292.95
Syko, J.	125.00
Wilson, D.	125.00
	5,363.04

(d) H.E.C.F.I. Appointees

Kay, G.	1,151.60
	1,151.60

Appendix "B" referred to in Section 11 of the SIXTH Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Robert Aldridge	Foreman III (Districts) (13-C)	Public Works	Replacing Mr. C. Gibbs - promoted	$32,886.88 to $37,768.12	15/07/91
Mr. George Almas	District Chief (C-11)	Fire	Replacing Mr. R. Kerr - retired	$62,439.74	26/01/92
Mr. Roodal Bagasar	Hydraulic Backhoe Operator (D-16C)	Public Works	Replacing Mr. R. Aldridge - promotion	$31,832.32 to $32,248.32	15/07/91
Mr. Gary Beasley	Captain (C-8)	Fire	Replacing Mr. A. Vandenakker - promotion	$57,553.17	26/01/92
Mr. Roy Cooper	Traffic Signal Repairman II (18C)	Traffic	Replacing Mr. St. John - promotion	$31,455.84 to $36,483.20	01/10/92
Ms. G. Gayle Fawcett	Stenographer II (9-C)	Building	Replacing Ms. J. Currie - retired	$25,432.68 to $27,458.60	06/01/92
Mr. Keith Francis	Lieutenant (C-7)	Fire	Replacing Mr. Difederico - retirement	$53,105.63	26/01/92
Mr. Jim Gubbins	Traffic Services Prosecutor (N-2)	Traffic	New Position - Council Approved June 25, 1991	$35,994.92 to $42,446.56	06/01/92
Mr. Brian Keenan	Motor Mechanic (T2A)	Fleet Services	Replacing Mr. Estravillo - promotion	$38,274.08	09/12/91

Prepared 10/02/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Randy Knowles	Lieutenant (C-7)	Fire	Replacing Mr. Laughlin - retirement	$53,105.63	26/01/92
Mr. Michael Langille	Supervisor of Cleaners II (O)	Property	Replacing Mr. J. Orford - retirement	$31,747.56 to $37,313.12	01/01/92
Mr. Darryl Lee	Freedom of Information Officer (O)	City Clerk's	New Position - Council Approved October 29, 1991	$34,001.76 to $39,972.52	27/01/92
Mr. Danny Mazzocato	Street Sweeper Operator (D14D)	Public Works	Replacing Mr. Van Veen - transfer to Region	$31,245.76	13/01/92
Mr. John McShane	Foreman II (Sanitation) (12-C)	Public Works	Replacing Mr. H. Cooper - retirement	$34,232.64 to $40,881.36	20/01/92
Mr. Dan Milovanovic	Lieutenant (C-7)	Fire	Replacing Mr. Graham - retirement	$53,105.63	26/01/92
Mr. Daniel Moon	Labourer (Landscape Technician -D-16C)	Public Works	Replacing Mr. R. Harkness - promotion	$34,444.80	06/01/92
Mr. Robert Shakeshaft	Traffic Services Prosecutor (N-2)	Traffic	New Position - Council Approved June 25, 1991	$35,994.92 to $42,446.56	06/01/92
Mr. Steve Smith	Probationary Communications Operator (N-1)	Fire	Replacing Mr. D. Pothier - transferred	$34,361.30	08/01/92

Prepared 10/02/92

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THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Stanley Taylor	Foreman III (Districts) (13-C)	Public Works	Replacing Mr. A. Mancini - promoted	$32,886.88 to $37,768.12	01/07/91
Mr. Martin White	Shop Superintendent (J-2)	Traffic	Replacing Mr. A. Cochrane - retirement	$53,779.96 to $63,398.40	27/01/92
Mr. James Winn	Assistant Chief Fire Prevention Officer (C-9A)	Fire	Replacing Mr. D.L. Peters - promoted	$58,472.40	12/01/92

Prepared 10/02/92

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. John Walker	Building Inspector	Building	Deceased	29 years, 5 months	16/01/92

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Prepared 10/02/92

Appendix "C" referred to in Section 19 of the SIXTH Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

TERMS OF EMPLOYMENT FOR SCHOOL CROSSING GUARDS AND SPARE SCHOOL CROSSING GUARDS FOR THE YEARS 1992 AND 1993

1.0 WAGE RATE AND WORK HOURS:

1.1 School Crossing Guards at "full" points and Spare School Crossing Guards shall be paid on a DAILY RATE based on a regular working day of 2.75 hours, as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	$26.000	$26.780	$27.048
JOB RATE:	$26.700	$27.501	$27.776

1.2 School Crossing Guards at "short" points shall be paid on a DAILY RATE based on a regular working day of 1.65 hours (60% of a "full" point working day), as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	$15.600	$16.068	$16.229
JOB RATE:	$16.020	$16.501	$16.666

1.3 An employee who, at the request of his or her supervisor, trains another employee shall receive an additional $5.00 per day for those days spent training, which shall be added to his or her appropriate Daily Rate.

1.4 The probationary rate shall apply for a period of six (6) months, excluding July and August, commencing from the employee's start date.

1.5 School Crossing Guards and Spare School Crossing Guards do not normally work during July and August except those assigned to work during the "SUMMER CROSSING PROGRAM". See Section 15.0 of these Terms of Employment.

1.6 An employee who is assigned to work more then 2.75 hours per day at a "full" point shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate x Hours/Day}}{2.75}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the four school crossing periods plus the duration of the break between the lunch time school dismissal period and the lunch time school entry period if this duration is 15 minutes or less, expressed in decimal hours.

1.7 An employee who is assigned to a "short" point and who is assigned to work more then 1.65 hours per day during the two (2) school crossing periods shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate x Hours/Day}}{1.65}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the two school crossing periods, expressed in decimal hours.

1.8 An employee who is assigned to a "short" point and who works an additional crossing period at the "short" point or a lunch time crossing period at another point, shall receive the appropriate "full" point Daily Rate for the days on which this occurs.

1.9 School Crossing Guards who work on School Board designated Professional Development days and Spare School Crossing Guards shall be paid for each Professional Development day at their appropriate Daily Rate.

1.10 Spare School Crossing Guards shall receive pay for days on which they are available to work but do not work. However, notwithstanding the above, Spare School Crossing Guards shall not receive pay for days on which they are unavailable for work, unless they are recorded as "sick" and are drawing from their sick bank.

2.0 STATUTORY HOLIDAYS:

2.1 Statutory holidays shall be paid at the employee's appropriate Daily Rate, in accordance with the Employment Standards Act (Ontario), as follows:

Good Friday	Thanksgiving Day
Easter Monday	Christmas Day
Victoria Day	Boxing Day
Canada Day	New Year's Day

2.3 An employee shall not be paid for any Statutory Holiday,

a) if he or she has been absent without good cause, as determined by the Employer, on the scheduled working day immediately preceding or following such Holiday; or,

b) if he or she has not been employed by the Employer for at least thirty (30) continuous days; or,

c) if he or she does not earn wages on twelve (12) days of the four (4) weeks preceding the holiday.

3.0 VACATION:

3.1 The March School Break shall be paid at the employee's appropriate Daily Rate of pay.

3.2 Vacation time shall not be provided, but shall be paid out at an employee's appropriate Daily Rate of pay, based on years of service as follows:

1992	1993	Vacation
less than 1 year	less than 1 year	4% of earnings
less than 5 years	less than 4 years	2 weeks
over 5 years	over 4 years	3 weeks
over 10 years	over 9 years	4 weeks

3.3 An employee whose working day changes between a "full" point and a "short" point shall have his or her annual vacation pay adjusted in the year of the change, such that the vacation entitlement will be paid out partially at the "full" point rate and partially at the "short" point rate based on the proportion of months the employee was employed at each rate.

3.4 Vacation entitlement up to and including the first two (2) weeks vacation shall be paid out during the Christmas break. The balance of any vacation entitlement shall be paid out in July.

4.0 SICK LEAVE:

4.1 Permanent employees accumulate 1 1/2 days sick leave credits per month excluding the months of July and August, up to a maximum of fifteen (15) days sick leave credit per year.

Employees absent for a period in excess of one (1) day are not entitled to the 1 1/2 days sick leave credit.

Where the absence is for a period of not more than three (3) days where such days extend from one calendar month to the next calendar month, the loss of the 1 1/2 day sick leave credit shall only apply to the preceding month.

4.2 A permanent employee who has six months or more employment is eligible to draw from his or her sick bank up to the number of days accumulated.

4.3 An employee who is eligible for paid sick leave and is off for more than two (2) days must submit a medical certificate for the third day of absence in order to be paid for sick days (up to the number of days in the employees sick bank.)

4.4 School Crossing Guards at "full" points and Spare School Crossing Guards are entitled to take up to four (4) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.

4.5 School Crossing Guards at "short" points are entitled to take up to two (2) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.

4.6 Any absence of less than one full day will be recorded to the nearest quarter day.

4.7 Any absence of one full day will be recorded as a full day absence.

4.8 Deductions from an employee's sick bank will be adjusted to the nearest half day.

5.0 SICK LEAVE GRATUITY:

5.1 An employee who ceases employment as a School Crossing Guard or a Spare School Crossing Guard and who was employed:

i) for not less than seven years and not more than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of the gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding sixty-five (65) days excluding the months of July and August;

ii) for not less than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding one hundred and thirty (130) days excluding the months of July and August.

5.3 An employee whose working day was changed between a "full" point and a "short" point shall have his or her sick leave gratuity calculated partially at the "full" point rate and partially at the "short" point rate, based on the proportion of years the employee was employed at each rate.

5.4 When an employee ceases to be employed as a School Crossing Guard or as a Spare School Crossing Guard but continues to be employed by the Employer in an uninterrupted fashion,

i) the number of unused days of sick leave standing to his or her credit, earned under this terms of employment, is not transferable.

ii) the employee may apply for sick leave gratuity under this Terms of Employment.

5.5 In the event that an employee dies while in the employ of the Employer, his or her estate is entitled to receive payment of the gratuity in accordance with the provisions of the current Terms of Employment.

6.0 BEREAVEMENT LEAVE:

6.1 Three (3) regularly scheduled consecutive work days bereavement leave, without loss of pay on the death of a spouse, common-law - spouse, child, parent foster or adopted parent, grandparent, grandchild, brother or sister, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law. Such leave to be taken at the time of that bereavement or at the time the employee receives notification of that bereavement. Proof of bereavement may be required by the Commissioner of Human Resources.

7.0 CLOTHING AND ALLOWANCES:

7.1 Uniforms shall be provided by the Employer; except that all Guards shall provide their own footwear acceptable to the Employer.

7.2 All Spare School Crossing Guards and School Crossing Guards shall receive $5.00 per month worked Footwear Allowance, up to a maximum of $50.00 per year.

7.3 The issued uniform shall be worn as prescribed by the Employer.

7.4 All Spare School Crossing Guards and School Crossing Guards shall receive $5.00 per month worked Cleaning Allowance, up to a maximum of $50.00 per year.

7.5 The uniform remains the property of the Employer and must be returned upon termination or when requested.

7.6 All Spare School Crossing Guards shall receive $38.00 per week; ($7.60 per day) Travel Allowance; except that $7.60 shall be deducted from said amount for every full day on which he or she is not available for work.

7.7 Any School Crossing Guard who works temporarily at a location other than his or her regularly scheduled location, as requested by his or her supervisor, shall receive $2.50 per school crossing period Travel Allowance if he or she is required to use his or her own vehicle.

7.8 Travel allowance shall be paid once per month.

7.9 Travel allowance shall not be paid to any Guard working during the SUMMER CROSSING PROGRAM.

8.0 MEDICAL TESTING:

8.1 The Employer reserves the right to require the employee to undergo medical testing only to ascertain the employee's ability to discharge his or her duties. The testing shall not be conducted in a discriminatory manner.

8.2 When an employee is requested to undergo medical testing it shall be mandatory and it shall be conducted at a place chosen by the Employer and at the Employer's expense.

8.3 Failure to submit to medical testing will result in suspension and/or dismissal.

8.4 Should the results of an employee's medical testing result in a medical opinion that the employee is "unfit" to discharge his or her duties then the employee will be suspended without pay until such time as the employee is considered to be "fit" to return to duty, as determined by the Employer and the agencies conducting the medical testing on behalf of the Employer.

9.0 REPORTING RESPONSIBILITY:

9.1 All School Crossing Guards And Spare School Crossing Guards report directly to the:

School Crossing Supervisors
Community Traffic Services Section
Traffic Department
City of Hamilton.
Telephone Number 546-2200

10.0 PROGRAM CHANGES:

10.1 School Crossing locations and working hours are established by resolutions of the Municipal Councils of Hamilton, Stoney Creek, Dundas, Ancaster and Flamborough and the Policies and Procedures of the Corporation of the City of Hamilton Traffic Department. Therefore, the Employer reserves the right:

i) to reduce or increase a point between "Full" and "Short" hours at any location with a minimum of two (2) weeks written notice to affected employees; and,

ii) to eliminate or add School Crossing locations as required with a minimum written notice to affected employees as specified in the Employment Standards Act (Ontario).

11.0 POLICIES AND PROCEDURES:

11.1 All School Crossing Guards and Spare School Crossing Guards must comply with the City of Hamilton Traffic Department Policies and Procedures respecting School Crossing Guard Operational Matters. Failure to comply with said policies and procedures will result in disciplinary action.

12.0 SUMMER CROSSING PROGRAM

12.1 A School Crossing Guard or Spare School Crossing Guard working during the "SUMMER CROSSING PROGRAM" shall be paid for each working day as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate "full" point Daily Rate}}{2.75} \times \text{hours per day}$$

12.2 An employee working during the "SUMMER CROSSING PROGRAM" shall not earn sick leave credits nor be able to use sick leave credits during his or her employment as a "SUMMER CROSSING GUARD".

12.3 Sections 7.2, 7.4, 7.6 and 7.7 of this Terms of Employment are not applicable to "SUMMER CROSSING GUARDS".

13.0 DEFINITIONS

16.1 The following words are defined as used in this Terms of Employment:

School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of School Crossing Guard. School Crossing Guards are assigned to a point on a permanent basis.

Spare School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of Spare School Crossing Guard. Spare School Crossing Guards are not assigned to a point on a permanent basis but must be available on all school days to "fill in" at points when required.

Employee - any individual hired as a School Crossing Guard or Spare School Crossing Guard by the Employer.

Employer - The Corporation of the City of Hamilton.

A "full" point is a location where a guard is assigned to work during the morning entry, lunch dismissal, lunch entry and evening dismissal school crossing periods.

A "short" point is a location where a guard is assigned to work during the morning entry and evening dismissal school crossing periods only.

SUMMER CROSSING PROGRAM - The use of Crossing Guards to cross children during the non-school months of July and August.

SUMMER CROSSING GUARD - A School Crossing Guard or Spare School Crossing Guard who has volunteered and been accepted by the Employer to work during the SUMMER CROSSING PROGRAM.

14.0 CHANGES TO THESE TERMS OF EMPLOYMENT:

14.1 This document is intended as information and is subject to change by the Employer.

BILLS

CITY COUNCIL

1992 FEBRUARY 25

Bill No. *H-14*

The Corporation of the City of Hamilton

BY-LAW NO. 92-

Being a by-law to appoint

JOSEPH J. SCHATZ

City Clerk

WHEREAS section 73 of the Municipal Act, R.S.O. 1990, Chapter M.45 requires the Council to appoint a Clerk;

AND WHEREAS in adopting Item 11(b) of the 17th Report of the Finance and Administration Committee at its meeting on September 24th, 1991, the Council resolved to appoint J.J. Schatz City Clerk for a period of 5 years effective January 1st, 1992

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Joseph J. Schatz is hereby appointed City Clerk for the 5-year period from January 1st, 1992 to December 31st, 1997.

2. In addition to the duties required to be performed under any statute, Joseph J. Schatz shall perform such other duties as may, from time to time, be assigned to the Clerk by by-law of the Council.

3. By-law No. 89-345 is hereby repealed.

4. This By-law takes effect January 1st, 1992.

PASSED this day of A.D. 1992.

City Clerk Mayor

Bill No. H-15

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF FEBRUARY A.D., 1992.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1992

CITY CLERK **MAYOR**



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